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THE VICTORIAN REVIEW.



EDITED BY H. MORTIMER FRANKLYN.

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PREFATORY NOTE.

THE Editor, in presenting his thanks to the subscribers of the *Victorian Review* for having offered such a warm and generous response to his circulars inviting subscriptions and advertisements, begs to announce the purpose for which the *Victorian Review* has been founded and the spirit in which it will be conducted.

It is felt by many of the leading men in Melbourne that there is wanted in Victoria a first-class Magazine which shall reflect its highest culture and express the opinions of the best thinkers of the day on all the great problems now agitating the public mind in the colonies.

It is also believed that the increasing importance of Australia as one of the future granaries, vineyards, and meat and wool producing countries of the world, has created an interest in her welfare, and a desire to be more intimately acquainted with her resources, in countries too remote from the continent to be reached by the daily journals, and that a good review may find its way into circles of society, both European and American, which newspapers do not penetrate.

Both newspapers and reviews have their definitive place to occupy and their own specific functions to fulfil, and both may co-operate in promoting a more accurate and intimate knowledge of these colonies abroad, and in helping forward the complete discussion and satisfactory settlement of vital questions at home.

This is one of the objects contemplated by the Editor of this *Review*, who intends that it shall be distinctively Australian in tone,

while eclectic in character, patriotic in aim, and progressive in policy.

It is his ambition and intention to secure for its pages the contributions of the best writers in this colony; while—following the example of the *Nineteenth Century*, the *Revue des Deux Mondes*, the *Contemporary*, the *North American Review*, and the *International*—he has made arrangements with men of eminence in Europe and America for *original articles* upon “living topics.” And while the Editor does not profess to maintain a colourless neutrality upon the leading questions of the day, he proposes to open the columns of the *Victorian Review* to controversies like those which have appeared under the title of “Symposia,” in three of the publications mentioned above; provided such controversies are conducted with moderation, mutual courtesy, and a graceful consideration for the feelings and convictions of opponents. And thus all sides will receive a patient hearing, and many subjects may be set in a variety of aspects and discussed in the light of different minds.

THE
V I C T O R I A N
R E V I E W.

No. I.—NOVEMBER 1, 1879.

THE PLÉBISCITE.

IF representative government, under democratic conditions of society, could be regarded, either in philosophy or fact, as a means of ascertaining, expressing, and embodying the will of the majority of the people, to the exclusion, and possible suppression, of the minority, the task of the framers of political constitutions would be a comparatively simple and easy one. You might, in that case, dispense with the whole machinery of parliamentary institutions; and, having deputed to a small council of notables the task of preparing your projects of law, nothing more would be necessary than to convoke a mass meeting in every centre of population, and submit such projects to the general vote. But the very idea of law involves that of restraint. The necessity for its enactment presupposes the acknowledgment that if each member of a community were left free to follow the bent of his own inclinations, force and fraud, rapine and violence would revel unchecked, and human society, in the ordinary acceptance of the word, would be rendered an impossibility. Governments exist, it has been said, for a twofold purpose, "firstly, to bind men into an associated state, and secondly, to check all conduct endangering the existence of that state." It fulfils, in fact, the same functions in the community which reason does in the individual. Our wills are incessantly held in restraint—bitted and bridled—by "the pauser, reason;" and in proportion to the ascend-

ancy and supremacy of this, in our daily conduct, are our actions just, wise, temperate, and upright. When, as Shakespeare phrases it, "reason becomes the marshal to our will," we respect the rights of others, and pursue the path of peace and safety, with honour to ourselves, and without injuring the feelings or the interests of the people we are brought into contact with. A wilful man is not unfrequently the synonym for a fool; sometimes for a rogue. And the wilfulness of a great multitude of people, or of a whole community, is pernicious in precise proportion to the number of persons acting under its influence, and to the vehemence of their volition. The madness of the Crusades, the horrors of the Jacquerie, the excesses of the Anabaptists of Munster, the saturnalia of the Reign of Terror, and "the red-fool fury of the Seine" during the latter days of the Commune in Paris, are so many pregnant illustrations of the frightful evils which result from the deposition of reason and the enthronement of the will in human affairs. Such, also, are the vices and crimes of a Nero and a Caligula, of a Philip the Second and a Louis the Fifteenth, of a Borgia and an Alva. Thus, then, the will is not a master to be obeyed, but a servant to be kept in rigorous subjection. And hence there is something fundamentally wrong and thoroughly misleading in all theories of government which assume that the supreme authority should express the will of a monarch, or of an aristocracy, or of the great body of the people, or of a combination of all three. What we want to arrive at is the collection, from the community, of its highest reason; and the dedication of it, under circumstances favourable to careful discussion and mature reflection, to the work of making laws, administering finance, and directing public affairs, for the general benefit. Now, nothing could be more diametrically opposed, both in theory and practice, to the attainment of such an object than the reference of any question in controversy between the two branches of the Legislature, to a *plébiscite*. Men delegate to certain persons, called their representatives in Parliament, the work and responsibility of framing enactments, levying and expending taxation, and conducting—by a committee or cabinet selected from among themselves—the business of government. This delegation of authority takes place because those to whom it is intrusted are popularly supposed to possess special ability and experience, and the necessary leisure for the performance of these important and onerous duties. And in order that nothing may be done without due deliberation and discussion that all questions may be set in the light of many minds, and that

the work of one body of men may be reviewed and revised sanctioned or disallowed, by another body, two Chambers have been instituted in almost every civilised country, and a complex mode of procedure has been adopted, involving first, second, and third readings, the consideration of measures in committee, the report of the committee to the whole house, etc. etc. These have been found, by experience, to be necessary checks and safeguards, only to be dispensed with under exceptional circumstances, or in pressing emergencies. Thus legislation is carefully surrounded with precautions against

Raw haste, half-sister to delay.

If a conflict of opinion should arise between the two branches of the Legislature, the dispute can be most satisfactorily settled, and the terms of difference adjusted, by means of mutual concession and amicable compromise. "All government," says Burke, "indeed every human benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences; we give and take; we remit some rights that we may enjoy others." Commenting on these wise and weighty words, Mr. John Morley remarks that, in France, they "ought to be printed in capitals on the front of every newspaper, and written up in letters of burnished gold over each faction of the Assembly, and on the door of every bureau in the Administration. In England they need a commentary which shall bring out the very simple truth that compromise and barter do not mean the undisputed triumph of one set of principles. Nor, on the other hand, do they mean the mutilation of both sets of principles, with a view to producing a *tertium quid* that shall involve the disadvantages of each without securing the advantages of either." What follows is especially worthy of attention in the colony of Victoria, where there is such a tendency in politics to push matters to extremes; to act precipitately in all matters of reform; to silence opponents instead of listening to and confuting their statements and arguments; and to insist upon the radical "amendment," or the complete abolition, of laws and institutions, from the mere love of novelty and transformation:—"In politics," writes Mr. Morley, "we have an art in which development depends upon small modifications. This is the true side of the conservative theory. To hurry on after logical perfection is to show one's self ignorant of the material of that social structure with which the politician has to deal. To disdain anything short of an organic change in thought or institution is

infatuation. To be willing to make such changes too frequently, even when they are possible, is fool-hardiness. That fatal French saying about small reforms being the worst enemies of great reforms, is, in the sense in which it is commonly used, a formula of social ruin." To the spirit of moderation and compromise displayed by the statesmen and publicists of the mother country—to the respect they have exhibited for the sage maxim, *Festina lente*, and to the patience with which they have waited and laboured, until

By degrees to fulness wrought
The strength of some diffusive thought
Had time and space to work and spread,

we may attribute the stability of England's institutions, the steadiness of her progress along the path of constitutional freedom, and the solidity and practical utility of the various political, educational, social, and fiscal reforms which have been accomplished during the last half century.

On the other hand, to the deplorable absence of this spirit in France, we must look for, at any rate, a partial explanation of the revolutions and the extraordinary vicissitudes which have befallen that country during the same period of time, which has witnessed the rise and fall of the Orleans dynasty, the provisional government of 1848, the presidency of Louis Napoleon, the great crime of the 2nd December, 1851, the re-establishment and overthrow of the Empire, the brief delirium of the Commune, the installation of the Republic, and the replacement of M. Thiers by Marshal M'Mahon and of that first magistrate by M. Grèvy. Whatever party or faction happened to be in the ascendant for the time being, it almost invariably exercised its authority arrogantly and arbitrarily towards its opponents. They were not regarded as fellow-citizens to be treated with consideration, and to be admitted to power so soon as they could prove that they enjoyed the confidence of a majority of the people; but as rivals to be ostracised, or as enemies to be punished and proscribed. In one word, the French, with some few brilliant exceptions, have shown themselves to be destitute of the constitutional spirit, of political toleration, and of that disposition to give and take, which is declared by Burke to lie at the foundation of all government; that is to say in free countries. And hence the permanent instability of the national institutions of the foremost nation on the Continent of Europe.

Nor can we blind our eyes to the painful fact that the language and conduct of public men in the colony of Victoria approximate

more closely to those of French than to those of English politicians. It is no uncommon thing to hear the minority, or reputed minority, spoken of in much the same terms as the commanders of a conquering army might speak of the people of a foreign country, which had just been subjugated and placed under martial law. The victorious majority, or reputed majority, not only insists upon its undisputed and indisputable right to govern, but it would fain impose silence and submission upon the subject minority; towards whom it assumes an uncompromising attitude of arrogant and repressive hostility. And one result of this unsatisfactory state of things is, that there grows up in the minds of that minority the same bitter and resentful feeling of disaffection to the political institutions of the country, which we have described as animating what may be termed the Opposition to the various governments which have succeeded each other in France. Nor can this feeling of disaffection be looked upon in any other light than as a source of weakness and of danger to the community, in which it is rife among any influential section of the people; no matter whether that influence be the result of numbers, of wealth, or of intellect.

Such are some of the evils which spring from the absence, or disregard, of the spirit of compromise alluded to above; and those evils, far from being diminished, would be perpetuated and intensified by the adoption of the *plébiscite*; because there would be no longer an adequate motive for the two Chambers to agree upon some fair and honourable *modus vivendi*, or to meet each other half-way in the event of serious disagreements arising between them respecting measures of public policy. Whenever, and as often as, an unscrupulous Ministry felt that its power had begun to wane, and that its deprivation of the emoluments of office was imminent, it would propose some extreme measure certain of rejection by the Upper House, and would then make an appeal to a *plébiscite*, vociferously asserting that the independence and authority of "the people's Chamber" were in danger, and urging upon the masses to record their votes in favour of the Government and against an "obstructive oligarchy." And in a country like this, where the administration of the lands, of the railways, of the mineral deposits, of the education department, of the post-office, of the state forests, and of the electric telegraphs, is in the hands of the Executive, and where dissentient newspapers can be punished for non-servility by the withdrawal of the Government advertisements, a Cabinet could control a *plébiscite* just as effectually as Louis Napoleon did, when

he caused 7,439,216 votes to be cast in condonation of the infamous massacres connected with the *coup d'état* of 1851. If it be objected that it is unfair to assume the conduct of public affairs in this colony will often, or ever, fall into the hands of unscrupulous Ministries, we reply that both local and general experience justify the expectation that this will be the case occasionally, perhaps frequently. It must be so, for wherever supreme power is lodged in the hands of the majority of the people, that majority will be chiefly composed of men who, *ex necessitate*, are more likely to be led captive by the plausible clap-trap of the unprincipled and self-seeking demagogue than to listen to the careful statements and logical arguments of the patriotic and high-minded statesman, who has too much self-respect and too genuine an affection for the masses to fawn upon and flatter them. It is no disparagement to these to assert that, in general, they have not the leisure, nor have they received the mental training and discipline, which would qualify them to look at public questions in a judicial spirit; and, in soliciting their suffrages, the political philosopher would stand no chance against the fluent stump orator who could play upon their passions, appeal to their class sympathies, arouse their national, credal, or social prejudices, and convince them that they are down-trodden and oppressed, and that their own misfortunes and sufferings are not the result of personal conduct, but are attributable to political causes exclusively. Even in countries where a limited suffrage prevails, we have seen a great statesman like Peel, a famous historian like Macaulay, and a true nobleman like Lord Carlisle set aside in favour of altogether inferior men; and there was a time when an impudent impostor like "the Claimant" could have beaten—if he had been free to contest a seat in the House of Commons—the best man who could have been brought against him in any one of at least a score of English constituencies. In the case of Macaulay, when he stood for re-election in Edinburgh, one of his opponents, Mr. Blackburn, came forward as the friend of cheap whisky, "which showed," said his proposer, "that his heart was with the people." He was applauded to the echo by the multitude who thronged around the hustings; while, writes the illustrious historian's biographer, "Macaulay was treated with a brutality the details of which are painful to read and would be worse than useless to record."

Critically considered, the institution of the *plébiscite* would be a reversion to barbarism. It would be an act of political atavism. It would be going back to the rude expedients resorted to in a

primitive stage of society. It would be equivalent to the abrogation, under given circumstances, of representative government. There was a time when whole nations, or tribes, met to deliberate in one place, and when the laws they chose to enact were carried by acclamation; but the social conditions which necessitated, or justified such a proceeding, have ceased to exist for many centuries; and instead of the convocation of the people, we have its Parliament. But even this, as Sir James Mackintosh has observed, "is not a contrivance for conveniently collecting, or blindly executing all the pernicious and unjust resolutions of ignorant multitudes. To correct the faults of democratical governments is a still more important object of representation than to extend the sphere to which that government may be applied. It balances the power of the multitude by the influence of other classes; it substitutes skilful lawmakers for those who are utterly incapable of any legislative function; and it continues the trust long enough to guard the Legislature from the temporary delusions of the people." There is nothing, indeed, against which greater precautions require to be taken, in all democratic communities, than that slavish reverence for numbers, of which the *plébiscite* is one of the most conspicuous expressions; for if everything were to be decided by the popular vote, our political and social institutions would become as unstable as was the supreme power in Rome, during the latter days of the empire, when the prætorian cohorts elected the monarch, and at the same time proclaimed throughout the camp that the crown would be disposed of to the highest bidder. We have already established what a liberal statesman like the late M. Thiers described as "the blindest and most dangerous of powers." It cannot be recalled, and the problem which now presses for solution is how to reduce to a minimum its concomitant and resultant evils, and how to make it conducive to obtaining the maximum of good government.

Historically considered, the *plébiscite* is a ludicrous anachronism. One of its defenders in the Assembly gravely assured his hearers that "it was no new thing in Saxon history. No," said he, making a bold excursion into the cloud-land of Scandinavian mythology, "it was in operation in the time of Woden and Thor." We do not think there is any mention of a *plébiscite* in the Eddas; and if it was resorted to in the Walhalla, or in the subterranean abode of Hel, authentic history is silent on the subject; and Thor was much more likely to batter the skulls of his opponents to pieces with his magic hammer, Mjolnir, than to take a general poll of the jarls on the subject in dis-

pute. Besides, this could only have been an appeal to the hated aristocracy, because all base-born persons or thralls were excluded from that famous assembly, where the gods were in the habit of gorging themselves with swine's flesh, and stupefying their senses with unlimited beer.

But to emerge from the realms of fable into the region of fact, it is scarcely necessary to remind persons of average intelligence, that no such thing as the *plébiscite* was known to our Anglo-Saxon forefathers. The Witenagemote*, or "assembly of the wise men," was composed of all the notables of the country, its prelates, abbots and ealdormen. No laws could be enacted, nor any taxes imposed, without its consent. Whatever was done in this way, was transacted "*confirmacione populi*." But what was the meaning of the word *populus*, as employed by the old chroniclers? It signified, not the people in the modern acceptation of the word, but *populus terræ*, the land-owning classes. These possessed and exercised the rights and liberties of freemen; the cultivators of the soil were thralls or churls, who had no voice whatever in public affairs. The only trace we find of popular influence in political life is that referred to by Mr. J. R. Green, in his "History of the English People, namely, "in the ring of citizens who gathered round the wise men at London or Winchester, and shouted their 'aye' or 'nay' at the election of a king." But this was a purely local manifestation of feeling, and bore the faintest possible resemblance to a *plébiscite*.

It is unnecessary to say more to dispose of the astonishing assertion that this device is "no new thing in Saxon history." It was never heard of in Britain. We must go farther back, and discover it in operation among the progenitors of the Latin races. In Rome, up to the time of Servius Tullius, the choice of magistrates the enactment of laws, and the making of peace or war, were performed by the *comitia curiata*, or assemblies of the people, meeting in their several *curiæ*. But this system was superseded by that monarch, for a reason which is worth noting: because it was

* It seems well ascertained that those assemblies, called by the Saxons *Mickle-gemotes*, or *Witenagemotes* (great assemblies, or assemblies of wise, that is considerable, men), were attended only by the allodial proprietors—that is, by the persons who owned land without any condition of service for it, either to the king or to subjects. It is probable that not even all proprietors of this class attended, but only the more considerable ones; and we are left uncertain if they had a right to attend, or if they only came on the summons of the prince Those who attended the gemotes were called *Witan*, literally wise or respectable men. The vassals were not deemed sufficiently independent to attend; and the peasants were in a state of villeinage.—Brougham's "*Democracy and Mixed Monarchy*," p. 40.

found that in these assemblies, where all votes were of equal value, affairs of great moment were liable to be decided by the voices of those who were the least reasonable and the most accessible to corrupt influences, in the community. So voting in *centuries* was substituted for voting in the *curiæ*; and thus, as Livy tells us, the poorer sort of people were deprived of their former weight and influence in the affairs of state. Meanwhile the senate, which dated its existence from the earliest period of Roman history, and which was filled by patricians almost exclusively, had been growing in power, and the plebeians, having no share in the administration, availed themselves of a severe crisis in the foreign and domestic affairs of the city, to insist upon the appointment of a certain number of *tribuni plebis*, upon whom was conferred the right of assembling the commonalty. Now, as Niebuhr tells us, "the resolutions passed by the *plebes*, on the proposal of a tribune, were called *plebiscita*, while the resolutions passed by the patricians were called *leges*." At first the authority of these resolutions was extremely limited; but about the year 304 A.U.C., the *plebiscita* were empowered to originate legislation, and such *projets du loi* became law as soon as they received the consent of the Curies. The Publilian law of 414 A.U.C. dispensed with the latter, and made the senate a party to whatever the people might order; while, as Niebuhr writes, "it became more and more evident that general assemblies were a nice formality, and depended too much upon accidental circumstances." The *plebes* did not vote according to individual opinion, and under the guidance of calm reflection and sober judgment, but were swayed by impulse and passion, and acted in masses. The time soon arrived, however, in which the democracy obtained an ascendancy in political matters; and by the Hortensian law it was enacted that, in the case of *leges*, a *plebiscitum* could act as a legislative assembly independently of the senate and the Curies. The only check upon rash legislation by the *plebiscita* appears to have been the superstition of the people; inasmuch as the patrician magistrates, the consul, prætor, and censor "could interpose at any popular meeting with the announcement that the auguries were unfavourable, and could thus prevent the adoption of any measure by the tribes, as well as by the senate and centuries." This was tantamount to a power of veto; and imposed the necessity of a compromise.

Thus, it will be seen that in old Rome the *plebiscitum* was something perfectly distinct from the *plebiscite* recommended for our

adoption in Victoria. It was a successful assertion on the part of the populace of their right to be consulted in matters of legislation, and in other public affairs; and the mode of procedure is worth noting. The propositions of law were made by the tribunes on a market day; the *plebes* meeting in the forum, and the *populus* in the *comitium*, which was divided from the former by the rostra. A bill having been exhibited and discussed—such discussions always being completed before sunset—a delay of fifteen days occurred before it could be adopted. At the expiration of that period, it was again debated, and if the deliberations had not closed at sunset, a further interval of eight days took place before a division was taken. But if the discussion had terminated, and the votes were counted, strangers, that is to say, the patrician orders and their clients, were ordered by the tribune to withdraw into the *comitium*; the forum was divided into squares by a number of ropes, and each tribe was separately polled. If the project of law was affirmed, writes Niebuhr, “the patricians had the right of rejecting it, just as, in England, the House of Lords and the King may reject a bill sent up by the House of Commons.”

It is obvious, therefore, that the *plebiscita* were clumsy expedients resorted to for the purpose of effecting the business transacted in modern times by Parliaments; and we must not lose sight of the fact insisted upon by Lord Brougham, that the ancients were entirely ignorant of the principle of delegating deliberative and legislative powers to an elective and representative body. When institutions of this kind were established, the necessity for *plebiscita* had ceased to exist; and the proposal to recur to them is like setting the hands back upon the clock of time. They are further open to the very grave objection that they lodge power where there is no responsibility; and responsibility, as Guizot has pointed out, is one of the fundamental conditions of the representative system. The act of a multitude of persons, labouring perhaps under great temporary excitement, is wholly destitute of all sense of responsibility, whether individual or collective. Indeed, masses of people will surrender themselves captive to errors and delusions, will perpetrate deeds of violence and injustice, and will commit crimes, from which each unit in the crowd would probably shrink with horror. They might sanction by acclamation a line of policy which would be fraught with ruin or disaster to the country; but when the calamity came, it would be impossible to affix the indignant censure or the righteous penalty upon any person whatsoever. Not only so, but many of

the culprits would be found to have betaken themselves to adjoining countries, while others would vehemently repudiate all complicity in the evils they had assisted to bring about.

Nor, in enumerating the many and weighty objections which present themselves to a *plébiscite*, must we omit to take into consideration the circumstances under which it would be had recourse to. Supposing the question in controversy between the two branches of the Legislature to be one upon which the public were indifferent, a very small proportion of the electors would take the trouble to record their votes. In such a case, the *plébiscite* would be valueless as an expression of popular sentiment. On the other hand, if it were a class question, or were capable of being tortured into a class question, the usual machinery of agitation would be put in motion, the country would be "roused," and you would then have not a calm and deliberate declaration of public opinion concerning the matter in dispute, but the passionate utterance of an excited majority, moved to vehemence by the sonorous declamation, or the *ad captandum* sophistries, of the professional stump orator, and the unprincipled and unscrupulous demagogue.

These are the very influences which representative institutions, together with the division of power, and the checks and balances which have been established in connection with them, are designed to guard against, if not to neutralise. For this form of government rests, as Guizot has shown, with equal logic and lucidity, upon the following series of ideas:—"All power which exists as a fact, must, in order to become a right, act according to reason, justice, and truth, the only sources of right. No man, and no body of men, can know and perform fully all that is required by reason, justice, and truth; but they have the faculty to discover it, and can be brought more and more to conform to it in their conduct. All the combinations of the political machine, then, ought to tend, on the one hand, to extract whatever of reason, justice, or truth exists in society, in order to apply it to the practical requirements of governments; and, on the other hand, to promote the progress of society in reason, justice, and truth, and constantly to embody this progress of society in the actual structure of the government."

Now, what is a *plébiscite* but the substitution of the popular will, for "reason, justice, and truth, the only sources of right"? And, as such, it is the emphatic negation of the representative principle. Once in Jerusalem, when a certain ruler was in doubt

about a public question, he called for a *plebiscitum* in these words:—
“Whom will ye that I release unto you, Barabbas (a murderer), or Jesus, which is called Christ?” And the leaders of the people “persuaded the multitude that they should ask Barabbas and destroy Jesus:” which they did, and when they were invited to decide what should be done with the latter, “they *all* said unto him, Let him be crucified!” And he was put to death accordingly. The precedent does not say much for the principle.

JAMES SMITH.

A LAST WORD ON THE EDUCATION QUESTION.

THE periodical storm of agitation on the Education question has, this time, raged with unwonted fury. Such storms have been recurrent ever since the publication of the report of the Royal Commission of 1867. Their rise, course, and subsidence may be predicted with about the same degree of certainty as that with which seamen foretell the coming and direction of the monsoons in the Indian Ocean. They may confidently be expected some time about a twelvemonth before any general election. And their line of direction may with equal assurance be forecasted. Meteorologists tell us that the law of storms invariably is that they move in circles of smaller or greater diameter. The principle holds good in political meteorology. Every now and then some "cry" is raised, which swells into a great wind of angry discussion; the storm sweeps circularly, driving before it a confused heap of waste-paper scraps, straws, rags, and suchlike trifles; and when all its force is spent it dies away, and people are left wondering what all the terrible racket was about. In the present instance, the rise and fall of the political tempest might be dated by an expert almost to a day. But the point is of no importance. What really concerns the world is the fact that the storm is now over, and that its effects have been perfectly harmless, and altogether neutral; or, if there be any positive resulting effect, it is the additional proof afforded of the immovable firmness and impregnable solidity of our admirable education system.

The discussion of any large and important public question, even though it may lead to no practical issue, is not in itself an evil to be deprecated. Storms clear the atmosphere. Popular agitation is a constitutional safeguard in any free country. There is not, therefore, a single word of censure to be passed on any man who chooses to raise, or to take part in, an agitation for a change in the educational system of the country, or even for its immediate and

total abolition, if such be his desire. Nor, again, is any man to be taken to task for the peculiar views he holds respecting general questions. Freedom of opinion on all matters affecting the well-being of the commonwealth, and liberty to express personal convictions, are the concentrated essence of all the political charters and bills of rights. By all means let the opponent of State education utter his mind from pulpit, or press, or platform, just as he pleases. Let him fulminate as long and as loudly as breath holds or his stock of polysyllables lasts. Throwing words, even angry words, into the air does no harm, either to the calm skies above or the firm-set earth beneath. The pleas, then, gravely put forward in more than one authoritative form in defence of the right of the Roman Catholics to air their real or imaginary grievances on the Education question, and to seek redress of the same by all constitutional means, were merely so much verbal surplusage. Where nothing is contested, defensive pleading goes in pure waste. Or rather, it takes on the character of suggested apology. Now, of all forms of literary fencing, the suggested apology is at once the least effectual, and the most contemptible. All that is required is that the right which is claimed for one party shall be as freely conceded to the other. It is just a little too absurd for one polemic to insist upon his right to deny to his opponent the liberty which he himself is at that moment putting in exercise. If the Roman Catholics may lawfully agitate, so also may the Protestants. Even the authoritative pleaders for the right of the one party did not dream of contesting that of the other. It was never maintained that the claim advanced included the privilege of silencing all opponents, by sheer force or otherwise. Strange, however, that the easy inference here suggested did not occur to their minds! It never seems to have struck their intelligence that even the calmest proposal to sow the wind may issue in a reaping of the whirlwind. Their humbly suggested apology was allowed, but see what followed! The country from one end to the other rose in protest against any concession being made to the Roman Catholic party. The case of the claimants was made fifty-fold more hopeless than it was before. The rising tide was very speedily turned. The broad, deep counterswell completely overwhelmed the tiny breakers that foamed around the rocks to seaward. Next time, perhaps, these astute pleaders will bear in mind the fact that the liberty of speech claimed by and for one set of polemics belongs equally to the other disputants in the arena. "Nay, an thou'lt mouth, I'll rant as well as thou!" But the tall cliff by the

ocean-verge is not moved to its base by the screaming of the sea-birds which wheel their airy flight around its hoary crest. There are human institutions which have withstood the shock of arms, again and again repeated; could empty words avail to shake them? In the history of this earth it never was known, never will be known, that the overthrow of any broad-based, beneficent popular institution, the product of long years of toil and struggle, has been, or might be, accomplished by sheer force of noisy declamation. Just such an institution,—so solid, fixed, and durable,—is the public system of education in this country.

The recent agitation, then, may be allowed to die out of memory without a single word of record. It has left, as was said, absolutely no practical result behind it worth mentioning. The episcopal manifestoes, the pastoral letters, the thousand sermons, the ten-thousand speeches, lectures, pamphlets, leading articles and letters in the newspapers, have all been lavished in pure waste. Nor, indeed, was there a single sentence in the whole enormous mass of writing and reported speaking that was worthy of the least attention from any practically-minded man. No doubt religious fervour, even though it take the bitter sectarian tone, is a powerful moral lever, and is therefore by no means to be despised. But, intellectually weighed, the offensive instruments used in these periodical agitations on the Education question are about as trivial and as volatile as the motes in the sunbeam. Not even when the discussion takes the guise of a philosophical essay on first principles is it worth a moment's serious consideration. First principles! As reasonably go back to a discussion on Rousseau's pet crotchet touching the superiority of savage to civilised life. "Duty of the Parent," "Province of the State," "Function of the Legislature," together with copious references to John Stuart Mill, Blackstone, Burke, Cardinal Newman, and occasional scraps from the Latin prosody: these are *phrases* merely. The State system of education now happily, and unshakably, established in this free country is not a set of phrases, but a *fact*. And it is a fact as deep, as broad, and as lasting, as that social constitution which binds the citizens into one well-ordered and law-abiding community. Let monks in their cells, and dreamers in their studies, deal in phrases and fancies; practical men deal with things as they are, and as they are fixedly and permanently.

Two facts, of supreme importance—of an importance which not alone gives them precedence of all other facts, but that renders

them exclusively worthy of consideration in any discussion on the Education question—were, as a matter of course, carefully kept out of view in the recent agitation. I say, as a matter of course; for the introduction of those facts would have had the effect of instantly stopping the agitation. The learned polemic, whose trade is in magniloquent phrases alone, and who never in the least intends to do anything practical, naturally shirks mention of those facts which, once placed in evidence, stop his mouth. He deals in the cartload of arguments, and has no concern at all with the single fact which more than outweighs all his verbal wares. Hence it comes that no allusion whatsoever was made in all that hailstorm of words to the circumstance that the Roman Catholic party were offered, and that they scornfully rejected, twelve years ago, the very terms which now they are protesting, with fierce energy, that it is “infamous tyranny” to withhold from them. These are the two main facts I speak of. First, as to the offer. On the 22nd page of the Report of the Royal Commission on Education will be found this paragraph:—“With respect to non-vested, including the denominational schools, we beg leave to recommend, with a view to afford time for the establishment of public schools adequate to the wants of the population, that they be subsidised for a period of five years, commencing 1st January, 1868.” Then follows the more explicit statement that all such schools were to be granted a capitation sum, upon payment by results; such sum to be 20 per cent. less than the average State capitation grant, and not to exceed £4 per child. But no further interference than just so much as is required for efficient inspection should be exacted; the management and the appointment of teachers being left unconditionally in the hands of the trustees or owners. Here, I repeat, stated in express terms, was the very concession—bating the limitation as to time—for which the Roman Catholic party are now “tormenting the very heavens with their inquest of beseeching prayers,” and tormenting in vain. Why did they not accept it, eagerly, gladly, gratefully? The inquiry recalls to mind once more the old classical legend of Tarquin and the Sybil’s books. Supercilious haughtiness leads often to personal consequences quite as disastrous as those that come of vaulting ambition. The “five years truce” was offered in all good faith to the party. It was pressed on their acceptance with earnestness, with importunity. Again and again they were implored to state, at the very least, what terms they would accept. Everything was done that the most honest, liberal-

minded, impartial, and perfectly just body of assessors in the case could do, to win them to a compromise. Had the party then, wisely for their own interests, accepted the offer, the present Education Act would never have been passed, and they would have been in the permanent enjoyment of those very privileges which now they declare to be alike priceless and indispensable. The five years truce would have been renewed from term to term,—excepting in the event of the Roman Catholics themselves choosing to forego it and to fall in with the State system, pure and simple. Why, then, did they refuse so fair, so favourable, so entirely sufficient an offer? The answer is, simply from sheer haughtiness. The offer was contemptuously spurned. The language in which it was rejected was the language of insuppressible disdain. All this it may not be very pleasant to record, but it is true nevertheless. The reply to the overture of the Royal Commissioners from the representative of the Roman Catholic dignitary was something less than courteous. The verbal communications made to the secretary of the Commission on this point by the deputy savoured even of insolence. “Truce,” indeed, and “compromise,” forsooth! Neither truce nor compromise would there be, nor could there be, between the infallible Head of an infallible religious communion and a committee of pestilent heretics! What right, it was insolently asked, had the Government, or the State, to interfere in any way with the education of the children within the sacred fold of the Roman Catholic communion? The Bishop was the “sole guardian of faith and morals for his flock.” His authority was absolute, imperial, and unconditioned. He held the right to direct the State in its dealing with the matter of providing instruction for its own children. For himself, moreover, he disavowed all concern and all responsibility, even in his private capacity as a citizen, in relation to the subject, excepting in so far as he should be allowed the absolute direction of it. To him, the education of any children outside the communion he governed with despotic sway was a matter of the profoundest indifference. He would not even consent to be consulted upon it, or to give his advice about it. The mandate of the Sovereign, presented in the form of a polite request from Her Majesty’s commissioners, was treated as a piece of impertinent intrusiveness, not deserving even of a polite answer. Any proposal to accept a subsidy from the State treasury, untrammelled by any conditions, he would, perhaps, listen to, with great condescension; but no other, of any tenor. The “Lordship” ascribed to the Roman Catholic Bishop by his deputy was no mere

honorary title, but expressed a very real authority, extending, apparently, over the entire population of the colony! A Hildebrand or a Gregory,* in the depths of the dark ages, might have used such language appropriately enough, but it certainly seemed as great an anachronism in an Australian colony, and in the year 1867, as would be a mediæval monastery on the shores of Port Phillip. But, since the act of disavowing his common duty as a citizen in no way established the right of the Roman Catholic Bishop to claim the extensive lordship set up on his behalf, the correspondence between the Commissioners and his deputy ended with the Bishop's refusal to enter into the matter in hand at all. Some slight allowance for rhetorical exaggeration must be made here in the expressions used to bring out the facts more strikingly. But the facts are literally true, nevertheless. What happened has been stated with faithful exactness.

The "great refusal," then (as Dante would express it), was made twelve years ago. Once made, it could never be repeated. Such is the fixed law in all human affairs. Events take their course, shaped by that refusal; but nevermore comes the celestial visitant with his divine gift. He is, thenceforward, "like the lost Pleiad, seen on earth no more." But in his stead comes the action of retribution—inexorable law! Upon the great refusal of 1867, see what followed! Years of successive and humiliating defeats, of vain and bitter regrets, of fruitless agitation, of bootless prayers, of empty protestations, and stillemptier threats. The sun in his course never stays, never retraces his path in the heavens; and the laws of the solar movement are not more unchangeable than the law of progression in human affairs. It is vain, it is worse than useless, to attempt to bring things back again to the point they had reached in 1867, when the great overture was made. Why, even the foremost leaders in the recent agitation against the education system might have had perspicacity enough to discern that every word they spoke, and every act they did, only tended to make their case more hopeless still. From its first inception the system—the direct product of that great refusal—was fixed in the convictions and the affections of this people. It is still more deeply fixed now. The spent storm

* In order to anticipate the charge, once before founded on the mention of these two names in conjunction by the present writer, of shameful ignorance of elementary facts in European history, it may be explained that Pope Gregory VII. is usually named Hildebrand by historians, to distinguish him from Pope Gregory I., surnamed the Great. The latter is, by emphasis, discriminated as *the* Gregory of the Pontifical line.

of agitation has caused it to be but the more dearly prized. They love and value it as their most precious political right, and the noblest heritage they can leave to their children after them. There is only one public question now remaining in this country upon which agitation could stir men's blood to the point of civil strife. Let the storms of wordy agitation rage as they may; let noisy polemics shake the rostrum and fulmine over the land; let the feeble organs of a paltry sectarianism expend all their little wits in vapid protests: the magnificent structure of State education always stands where it did. And the people of Victoria will continue to defend it from assault at all risks and all cost.

Of course, it was likewise carefully kept out of view by the agitators that an offer analogous to that made to the Roman Catholic party was made to the Protestant party by the Royal Commission of 1867. Here are the very words:—"The establishment of public schools from which sectarian teaching shall be excluded by express legislative enactment, and in which religious teaching shall be in like manner sanctioned and encouraged." Such were the terms of the third of the recommendations in which the commissioners summed up their report. Now, will it be believed that this offer, to make non-sectarian religious teaching binding by express statute for all the State schools, was refused by the Protestant denominations? Not by all of them, certainly; but by at least that one amongst them whose concurrence was primarily requisite. See what has followed upon this other great refusal! That was a most amazing commentary on it which Dr. Moorhouse gave forth, in his finest and most stirring trumpet-notes, at the opening of the Church Assembly's session the other day. Certainly, there is a curious, and still unexplained, discrepancy in this case, between the acts of one high ecclesiastical functionary and the words of his successor. Here is a single fact which, like the touch of Ithuriel's spear, dissipates into thin air one of the most powerful appeals ever uttered in this part of the world, since Phillip's first fleet anchored in Port Jackson. But the subject is too grave for banter. Let me ask Dr. Moorhouse, with all respect, if he knows the facts of his brief? And if he knows them, why does he suppress them? The question before this people now is, not whether Dr. Moorhouse is able to deliver his tenthousandth eloquent and moving dissertation on the paramount need for blending religious instruction with what is foolishly mis-called secular teaching, but why his predecessor refused to allow this very thing to be done by the State? Which bishop, I ask,

spoke the voice of the Church of England in regard to this most serious and urgent practical matter? Has the ecclesiastical oracle *always*, then, two different and mutually-neutralising responses to give? If the powerful address delivered in 1879 had been anticipated and carried into practical effect in 1867, why, it might have led even the Bishop of Melbourne to change his views; and the burden which Dr. Moorhouse took upon himself in accepting the bishopric would have been vastly less heavy for his shoulders! He but pays the penalty of his predecessor's errors. The like has happened before in human history. But Dr. Moorhouse is, before all things, a fair and honourable disputant. He is even inclined to concede something too much to his opponents—to "become all things to all men, if by any means he may save some." And being so, let him, if he can, show how this State, in its noble, persistent, and consistent efforts to provide free education for all its children, is in any way accountable for the conflicting action of two ecclesiastical dignitaries, holding the same office, and standing in the relation one to the other of successor and predecessor? To argue without reference to facts is very much like navigating a ship without reference to the sea. I say nothing now of the notorious and complete failure of the denominational system, under its own Board. I lay no stress upon the obtrusively evident fact that denominationalism in action means, simply, sectarianism run wild. Let it be taken as disproved that the jealousy of the sects towards each other is, far and away, a more powerful motive of action for each and all of them than zeal for the education, even the religious education, of the children of the State. Let it be granted that it is not true to assert of the sects that, rather than join in a common bond of brotherhood, to secure the great end of the children's education, they would see them, unmoved, perish in ignorance before their eyes. Say that it never has been proved—though it *was* proved—that religious teaching by the clergy themselves was, as a rule, a thing unknown in the denominational schools placed under their own charge and supervision, and situated hard-by their own manse. Passing by all these considerations, I put the question at point-blank to Dr. Moorhouse, why did the Church of England, acting through its head and representative, his own predecessor, turn scornfully away from the generous overture made to it by the State through the Royal Commissioners in 1867? The boon of non-sectarian religious instruction, made compulsory by statute in all the State schools, would be an infinitely precious gift *now* for the Church of England, in its marvellously

revived zeal on behalf of the sadly neglected children! Why then, I ask with importunate reiteration, why was that very gift treated as worthless—almost as an affront—in 1867? If, now, these high ecclesiastical dignitaries could only, by their eloquent and moving appeals, convert one another, what an immense gain it would be to the State, to the world, to the church itself! *If* episcopal brethren, even of the same religious communion, could only be brought to “see eye to eye!”

The plain outcome of the whole matter, then, stands full in view. The two great refusals of 1867 have had their consequences, and these are unalterable. Hence comes it that the periodical agitations are at once so frivolous and so foolish. But there was still a third question involved in the great subject before the Royal Commission, which has also received its final adjustment, likewise unalterable. That question was the relation in which the State stands towards all its citizens, considered as responsible, tax-paying, and law-abiding human beings. The other consideration, as to whether the citizens might, or might not, be in addition church-going human beings, in no way concerned it. They, being free citizens, must even determine that point for themselves, each man according to his conscience. In a free constitutional democracy there can be no State religion, no endowed church, no subsidised sectarianism. This arises from the very nature of the case. But the zealous churchman repudiates this plain and obvious conclusion with a real or affected feeling of horror. “A Godless Government! an utterly irreligious State! A Christian community repudiating all Christianity!” he cries aloud. That is to say, he falls back, as usual, upon his vocabulary of phrases when confronted by moveless and unalterable facts. Let us, however, merely for argument’s sake, allow the zealous churchman the full value of his phrases, and concede him perfect sincerity in his use of them. Then let us turn the tables on him, by retorting that for forcing the adoption of this “godless,” “unchristian,” “anti-Christian,” “pagan,” “secular” principle on the State in this country he, and he alone, is responsible. His was the hand that struck the fatal blow at the opposite principle of a Christian Government in a Christian State. To him, and to him only, is it owing that the “secular” theory, in all its naked simplicity, is adopted as the fundamental principle of our administration. Here are the proofs:—

First, the State, at its very formation, adopted the system of recognising religion by granting an annual subsidy from the public

treasury for its promotion; and the mutual jealousies and perpetual wranglings of the sects over the distribution of the subsidy forced the State to abolish this yearly benefaction.

Secondly: The State for years maintained, side by side with its own Board of Education, a Denominational Board; and was at length compelled to abolish it, from the undeniable evidence shown that its prolonged existence only tended to promote sectarianism and to discourage the education of the people. Every petty township had its three or four competing sectarian schools, each with its handful of pupils and its half-starved teacher. That Protestant and Roman Catholic children should mingle in the same school, and learn the same lessons in the "three Rs," was a thing not to be conceived of as possible. Rather should the Constitution be torn to fragments, society resolved into its original elements, and the State laid in ruins, than that such a horrible thing should be tolerated. Nay, even where the lines of division were much fainter and narrower than between these two chief sects, the same spirit of uncompromising mutual enmity was maintained. Could Protestant children of varying denominations—Church of England and Wesleyan, Baptist and Independent, Presbyterian and Plymouthite, Swedenborgian and Sandemanian—be united in the alphabet and spelling classes? It savoured of sheer insanity to propose such a thing. The lip-deep "Christian brotherhood" of the pulpit and tea-meeting revolted with feelings of dismay and terror from this particular illustration of that dearly-cherished sentiment. These are the facts, and these facts it was that compelled the State to abolish the Denominational Board of Education.

Thirdly: A last offer was made by the State to the religious bodies in the terms of the report of the Royal Commission of 1867, already quoted. That offer, I repeat, was emphatically and finally rejected by the chiefs of the two leading denominations. But, in rejecting it, the Roman Catholic Bishop tacitly pronounced a verdict of excommunication on his reverend brother, Archbishop Murray of Dublin, who—it is notorious—heartily upheld a system of "mixed" education in Ireland, in conjunction with the Protestant bodies, for many years. Which of these two dignitaries spoke the voice of the infallible church in this matter? I again ask, and pause for a reply. Furthermore, in rejecting the offer of the Commissioners, Bishop Perry virtually disclaimed and condemned by anticipation those very principles of action which his successor is never weary of urging with such importunate eloquence. Who shall decide when ecclesiastical

doctors disagree? Not the State, certainly, in a free constitutional democracy like this.

And now, in concluding this most injudicious and disagreeable revelation of facts, I shall take the liberty to utter a word of warning to the clerical agitators on the Education question of all denominations. Let them beware of creating and fostering in the minds of this people a conviction that religious teachers, from their very character and the nature of their functions, are enemies—secret or concealed as the case may be—of popular education. Such a belief has been very widely spread by the recent agitation. Of one religious section of the community it is held by the masses with all the force of an axiom. I do not by any means affirm that it is well-founded, even with respect to that particular body; but popular convictions, which may or may not have all the power of national traditions, are not always well-founded. I cannot bring myself to believe that any of the professed followers of Him who is the Light of the World can be lovers of darkness rather than light, advisedly and on principle. I cannot, even with the evidence of ecclesiastical history for a thousand years before my view, entertain the belief that any section of Christian clergymen hate popular education, and would willingly keep the whole mass of the people in blank ignorance, if they had the power. But the consideration here in no manner or degree concerns my personal conviction on the matter. It is what the people believe, and what they say, that is alone of consequence. And I am simply putting current facts into words when I affirm that the popular conviction I speak of is deep and widespread, and is deepening and spreading daily. This, I repeat, is one baneful effect of the periodical and ineffectual storms of agitation raised on the Education question. The people, with their rough-and-ready logic, draw the inference that the clergy are averse to having the masses educated; that they only raise the “fuss” about religious teaching, for the purpose of thwarting and impeding the State’s noble efforts in that direction; that they are angry and jealous at the State’s interference with their self-assumed prerogative of teaching the people exactly what they please, and as little as they please; that they secretly cherish the design of setting themselves above the State, as a select and privileged class; and that they have, at bottom, a mercenary object in all they do. “They want the handling of the money all to themselves,” is the cry of the crowd in the street. Holding such views and opinions of the aims and objects of the re-

ligious teachers, is it likely that the crowd in the street will humbly and dutifully yield submission to them as their divinely-appointed guides, philosophers, and friends? Is it probable that they will surrender the inestimable benefit of free education for their children at the solicitation, still more at the dictation, of a class of men whom they so estimate? I, for one, think not. But if not, the periodical storms of agitation are mischievous as well as ineffectual. The outcome of them may be here, as it has been elsewhere, that as the State has been driven upon the adoption of the principle of absolute neutrality in religious affairs,—of the distinct non-recognition of any sectarian differences amongst its subjects,—the people will be driven upon “secularism” as their only creed. A thousand years of Roman Catholic ascendancy in Church and State plunged France at length in the revolutionary whirlpool from which she has not even yet emerged. Centuries of ecclesiastical despotism have reduced Spain to the very lowest place amongst the nations of Europe. Look at Italy, at Ireland, at Mexico, at the Phillipine Islands. Has history no teachings? Has daily experience no facts? Is all this moving world of human beings and stirring events—all this vast universe around us—but a jumble of phrases merely, to be conned over, and picked and chosen, by quiet monks in secluded cloisters? Something of the course of the Education question in this country I claim to know, and I solemnly declare that neither my reading nor my experience finds a parallel for the folly of substituting phrases for facts, and raising foolish, frivolous, and ineffectual storms of agitation at intervals, in the vain hope—with the insensate purpose—of overthrowing the impregnable structure of that free system of popular education which is the greatest social and political blessing this country possesses.

DAVID BLAIR.

"BERRYISM:" ITS RISE AND PROGRESS.*

THE general election which took place on the 11th May, 1877, will long be had in remembrance by the inhabitants of Victoria. Political feeling had run very high for some time previously. The Liberal party, as it is called here, having been ejected from office after a brief enjoyment of its sweets, had devoted itself to a course of systematic agitation. From every platform and "stump" throughout the country appeals had been addressed to the electors, calling upon them to rally to the assistance of their only real friends, who had been despitefully used in their disinterested efforts to rescue a suffering people from the grasp of a "rapacious oligarchy." Advantage had also been taken of the course of events in Parliament to fan the flame of popular excitement. The Liberals had forced the Government of the day into the adoption of coercive measures, and had then, with great adroitness, made political capital out of the proceedings they provoked. Their programme had been skilfully framed with a view to take the fancy of the numerical majority, and to call forth all that class-feeling which is found to be such a potent force in political affairs. Taking all these things into consideration, there were very few people of experience who anticipated a success for the party in power. It is true there was no reason why Ministers should not command a majority, as they were good administrators, and had not done anything more to forfeit the confidence of the country than the ordinary run of colonial statesmen. Nevertheless, there was a general feeling abroad that they were not destined to meet the new Parliament

* NOTE :—I have used the word "Berryism" to denote the latest development of so-called Liberalism in the Colony of Victoria. And here I may mention that the word "liberal," when used in this article to denote the party of which Mr. Berry is the head, must be taken in a conventional sense. The "ring" that for the time being is engaged in promoting its own interests, by practising upon the credulity and humouring the whims of the people, is always known here as the "Liberal party," and I have not thought it necessary, except by way of reminder here and there, to qualify the appellation.

with a following sufficiently numerous to enable them to carry on the Government without some shuffling of the cards. The idea, however, which found most favour with people who interest themselves in such matters, was that the appeal to the constituencies would give three parties to the Assembly, in which case the settlement of the question at issue between the Ministry and the Opposition would have afforded a very favourable field for the play of intrigue. The game would have been in the hands of the middle section, who could, probably, have got what terms they pleased to ask as the price of their alliance. But things were ordered otherwise. When the smoke of the contest had cleared away, and people had recovered sufficient equanimity to inquire into the results of the action, it was found that all traces of a third party had completely disappeared. The Liberal victory was complete. Out of eighty-six members, over sixty could be counted on to "vote straight" when the division-bell rang, without asking inconvenient questions or insisting on too high a standard of political morality. The constitutional party, on the other hand, was completely shattered and broken up. It had left some of its best men on the field, and when assembled at the opening of Parliament could hardly muster a sufficient force to take from the Opposition benches the appearance of complete desolation. Mr. Berry, as acknowledged leader of the victorious host, was undoubted master of the situation, and before the commencement of the session had been called on to form an Administration.

Before going further, it is necessary to take a brief retrospect, in order that we may see how Mr. Berry attained his commanding position. This is all the more necessary, because the conduct of the hon. gentleman in office has been in some measure a necessary consequence of the expedients he adopted to force himself into prominence. When Sir Charles Gavan Duffy was "sent for" in 1871, he met with some unexpected difficulties in providing himself with colleagues. After seeking in vain to ally himself with men of then acknowledged standing in Parliament, Sir Charles, rather than lose an opportunity, determined to construct a Cabinet out of the most likely materials available. In the somewhat curious specimen of political mosaic thus produced Mr. Berry had a place, and during the time it was on exhibition he was conspicuous amongst the component parts. While the leader of the then Government contented himself with the delivery of carefully prepared addresses, which were as vague as they were charming, his Treasurer busied him-

self over more substantial matters. Finding that he had to meet a deficit, he adopted the delightfully simple expedient of doubling all the protective duties, and of increasing the number of articles to which they should apply. By so doing, he not only supplied his pecuniary wants, but also acquired that leading position in the estimation of the protectionist party which he at present holds. Although the hon. gentleman had to retire from the position he occupied under circumstances which did not add to his reputation, his appearance before the public as a minister, if only for a brief period, was of great service to him. He succeeded in placing an active and enterprising party under obligations, and went some way in accustoming the public to forget the stump orator of the Eastern Market in the responsible adviser of the Crown. From that time forward the hon. gentleman was regarded as a possible leader. During the administrations of Messrs. Francis and Kerferd he always managed to maintain the foremost position on the left of the chair. It cannot be said that his policy during the three years that he sat confronting the Treasury bench was characterised by any remarkable degree of profundity. At the same time it must be admitted, even by his bitterest enemy, that it was perfectly consistent. His "good old rule," his "simple plan," was to offer an uncompromising resistance to every proposal advanced by the Government, without reference to anything but its origin. Alas! a cruel fate sometimes makes of our virtues whips to scourge us. It was while pursuing the even tenour of his way—a way based upon the admirable and convenient principle alluded to—that Mr. Berry fell foul of the present Education Act, which he denounced in no measured terms. If he could only have seen how popular this measure was destined to become, he might possibly have made it an exception to his rule. However this may be, it is certain that the "free, secular, and compulsory" system found no stronger opponent than the present Chief Secretary, who thus, through want of prescience, fell a victim to his love of uniformity. The practice of opposing everything when in opposition, is doubtless attended by certain advantages, as it obviates the necessity for the exercise of a tiresome eclecticism; but it is liable to be followed, as in Mr. Berry's case, by exceedingly inconvenient consequences. We have no doubt that the hon. gentleman would give a great deal now, when the remembrance of his mistake concerning the Education question rises up like a spectre between him and the people of his love, if a tempor-

ary human weakness had allowed him in that instance, at all events, to fall short of the high standard of duty he had set up for his guidance.

In 1875, Mr. Service, as Treasurer of the Kerferd Administration, submitted a budget to the Assembly which provided for a complete revision of the then existing system of taxation. The hon. gentleman proposed to remodel our tariff in the direction of free trade, and to make up the deficiency so produced in various ways which would have shifted a considerable proportion of the public burdens to the shoulders of property. In so doing we need hardly say that he attacked a number of interests, and estranged many supporters. Mr. Berry moved an amendment on the test vote, but was unable to secure sufficient support. Subsequently Mr. Service found himself in a majority of one on a motion to increase the spirit duties, whereupon the Acting-Governor was asked to grant a dissolution. His Excellency, however, refused to accept the advice tendered, and the Ministry thereupon resigned. For reasons best known to himself, Sir William Stawell called upon Mr. Berry—whose amendment had been signally defeated a few days previously—to assume the reins of government; and that gentleman, without taking any exception to the course adopted by His Excellency in refusing to dissolve on the advice of his responsible Ministers, consented to form a Cabinet. In view of his subsequent conduct, this virtual endorsement of the Acting-Governor's action is noteworthy. After experiencing some difficulty in getting an Attorney-General, Mr. Berry completed his task, and met Parliament in due course. The hon. gentleman's programme was severe in its simplicity. He was wise in his generation—far wiser than those to whom justice and statesmanship are more dear than power. He had seen the opposition which Mr. Service's scheme had evoked among the varied interests which it affected, and he determined not to make shipwreck of his fortunes by similar means. With the assistance of his colleagues, whose general astuteness in the thimblery of politics no one can question, he elaborated a policy to which he has adhered ever since with remarkable fidelity. Whatever ingenious advocates may say in its defence, there can be little doubt that it was deliberately designed to conciliate the masses and the manufacturers, who have hitherto pulled together, by a sacrifice of the landed and commercial interests. Land was to be singled out from other forms of realised wealth for heavy taxation, and the principle of protection was to be extended as necessity might arise. By way of still further

whetting the appetites of the uneasy classes and of attaching them to the Liberal *régime*, a plan of constitutional reform was propounded whereby finality in legislation was to be attained by the practical annihilation of the Upper House. It will be seen, then, that from the very first Mr. Berry bade entirely for the support of the numerical majority. He has never aimed at being the Minister of the whole people, dealing out equal justice to all. His idea of statesmanship, as shown by the proposals we have just enumerated, has been to govern by sacrificing the politically weak to the politically strong, and by cultivating excitement through the advocacy of extremes. On the occasion in question the hon. gentleman was not destined to go far towards the realisation of his scheme. He submitted his budget providing for a tax on land, but was met by an amendment proposed by Sir James M'Culloch. I give this amendment at length, as it appears to lay down very clearly the distinction between Mr. Berry and the Constitutional party on the land tax question:—

That this Committee, whilst affirming the principle of direct taxation on property, is of opinion that any such measure should be general in its application, and be accompanied by proposals for relief from certain of the burdens imposed on the people through the Custom-house, and therefore disapproves of the proposals of the Treasurer.

Every one admits that land ought to be taxed, but the Constitutionalists say that it should only be called on to contribute in common with all other property—although in a different proportion—and that the sum raised by a general levy on wealth should not go to feed extravagance, but to lessen the burden of that indirect taxation which presses on all classes alike. But to return to my subject. While the budget debate was going on, active steps were taken to rouse the country, and when after his defeat Mr. Berry applied, like his predecessor, for a dissolution, petitions and deputations poured in upon the Acting-Governor, asking him to allow his advisers to appeal to the people. Sir William Stawell, adhering to the determination he had formed in Mr. Kerferd's case, refused to take this extreme step, until he had satisfied himself that the House was incapable of furnishing him with a Ministry. His Excellency sent for Sir James M'Culloch, and that gentleman succeeded in forming a Cabinet, which immediately commanded a good working majority, and retained it until the termination of the Parliament in 1877, by effluxion of time.

Driven apparently to a condition bordering upon frenzy by their speedy ejection from office, Mr. Berry and his colleagues threw

themselves into the most violent opposition, and from this time we may date a marked change in the tactics of the so-called Liberal party. Up to this point it had sought to attain its ends within the limits of Constitutional usage, but thenceforward it would brook no restraint. The political programme remained the same, with its proposals for class taxation, further subsidies to favoured trades, and virtual abolition of the second Chamber. It was probably thought that in appealing to the passions of the people, it would be impossible to improve upon such a charming address to the ignoble qualities of envy and greed, and the popular folly which some call ignorant impatience. But novelty might be introduced into the way of urging it upon the attention of the public. Instead, therefore, of waiting for opportunities of bringing it again into notice after the English fashion, it was determined to make them by forcing a dissolution. In a very short time the country was ringing, from one end to the other, with loud lamentations over the injustice inflicted upon the Liberal party, and with hysterical appeals for assistance and redress. Forgetting that Mr. Berry had eagerly seized upon the chance of supplanting Mr. Kerferd, when that gentleman had been refused a dissolution, the ex-Ministers went up and down the land complaining with all the bitterness which springs from blighted hopes, of having been denied an appeal to the constituencies, and an opportunity of taking the sense of the people on their policy. They lashed themselves into a fury—I verily believe that after a time they even persuaded themselves that they had a grievance—and it cannot be denied that they succeeded in arousing very strong feelings in the country at large. Perhaps their efforts in the way of agitation would not have met with the success they did had it not been for the unpopularity of the new Premier. If we seek to account for this unpopularity on any *reasonable* grounds, we are completely baffled. Sir James McCulloch, when he last took office, was what he had always been. He was as Liberal in his opinions, as sound in his views respecting economy and conservative finance, and as skilful as ever in matters of administration. It is true that he had abandoned all desire to bring affairs to a standstill at frequent intervals, in order that he might solemnly assure those concerned that the Constitution, as by law established, was unworkable; but I submit that the departure from a well-worn custom might have been dictated by an accommodating desire to gratify the popular taste for change. Of course, I am aware that the hon. gentleman was

accused by those who coveted his place and emoluments, of doing and being many dreadful things. He was called a "reactionary," a "traitor to the popular cause," a "base ally, if not a purchased tool of the enemies of the people;" and told with painful and wearisome iteration that he was in league with some imaginary conspirators in the classic regions of Flinders lane and Collins-street, whose object was the complete subversion of the liberties of the country. All these things, and many more, were alleged as reasons why the popularity of the once great Liberal leader had taken to itself wings and flown away. But no one who is at all familiar with the class of newspaper literature or platform oratory which deals in such statements without giving proofs that will stand examination in support thereof, could possibly be deceived by mere declamation of the sort. For my own part—I say it with all humility—I never hear a public man denounced here or elsewhere as an "enemy of the people" but I turn immediately to see what meritorious act he has done to deserve what, in these days, is surely an honourable title. I ask almost instinctively, what popular folly has he rebuked? what great principle has he upheld in defiance of the paralysing suggestions of expediency? what honest conviction has he expressed without reserve or equivocation? what proof has he given that, in these idolatrous days when public men make a god of the majority and speak with bated breath in the presence of the image they have set up, he dares to stand alone and possess his soul in patience? All excellence in this world, we are told, is comparative, and so, without saying that the typical "enemy of the people" is possessed of all the graces that can adorn humanity, I am compelled to admit his superiority by contrasting him with their friends. As we are forbidden by fairness, in the absence of evidence, to believe that Sir James M'Culloch had really done anything to forfeit the confidence of the party that used to bawl itself hoarse in his honour, we are driven to the conclusion that his unpopularity was simply the result of the proverbial fickleness of the public. Statesmen who would reign long in democratic communities, should pray with their whole heart and soul to be delivered from excess of favour. The Minister who is neither liked nor disliked, but simply tolerated, may manage to hold his own in a variety of circumstances, but he who is caressed and made much of would do well to set his house in order and prepare for his official demise, for assuredly he will "die and not live." Before many years—or it

may be months—have passed, he may look to be the best-hated man in the community.

But without troubling ourselves further concerning the origin of Sir James M'Culloch's unpopularity, there can be no doubt that it was of material assistance to Mr. Berry and his friends in the work of inflaming the public mind. The ex-Ministers did all in their power to organise and encourage opposition to the return of some of their successors, and not without success. In defiance of precedent they took part in the elections, and exerted themselves to the utmost to extol their own merits, to magnify their own wrongs, and to prove that the party opposed to them had been guilty of crime in driving them from office. They likewise fell foul of the Acting-Governor as being in league with the enemy, although, be it remembered, his only offence was that he had treated them as he had treated their predecessors. In refusing a dissolution Sir William Stawell had merely exercised that personal discretion in the use of the prerogative of the Crown, which Mr. Berry, by taking office, without protest, after Mr. Kerferd's advice to appeal to the country had been rejected, had tacitly admitted to be his of right. No consideration, however, of this sort could moderate the rancour of Liberal tongues at the time under notice, and the alleged misbehaviour of Her Majesty's representative was used 'as fuel for the flame of popular wrath and indignation. If any one should ask how the masses permitted themselves to be cajoled in the manner they were, into lending the hearty support they undoubtedly did, to the furtherance of transparently selfish designs, I must confess that I am quite unable to reply. I admit that the programme submitted by Mr. Berry during his brief tenure of office was only too well calculated to enlist the sympathies of those who think that the prosperity of the working man can only be secured by the depression of every other interest, and that its varied excellencies were daily, almost hourly, pressed upon the notice of the public with all that grace of style, vigour of utterance and contempt for accurate statement for which politicians in this country are so justly celebrated. But still, attractive as the policy announced undoubtedly was to a certain class of minds, and disinterested as were its advocates according to their own account, the whole farce had been gone through frequently before, and one would have thought that it had lost its attractions. On many occasions before Mr. Berry and his colleagues took to "stumping" the country as leaders of a party avowedly seeking office, the people had been assured that if they

would only support X or Z as the case might be, the rich would be humbled, the poor would be raised, capital would be brought to its knees, and labour be enabled to direct public policy to its own aggrandisement. They did support X or Z over and over again, but of course none of the promised blessings were ever secured. Why, then, they should have responded to Mr. Berry's call, I cannot understand, because while he promised to make them happy by political means—a prospect which sad experience must have told them was an idle dream—his objects were undisguisedly and cynically personal, the fine phrases in which they were enveloped to the contrary notwithstanding. Once more the people trusted and hoped, and once more they have been used and betrayed. When, however, the time comes for this present Government to draw its robe about it and to fall amidst the execrations of its sometime admirers, with what dignity it may, the same thing will probably take place again. For a brief period the sufferings and distress caused by Mr. Berry's attempt to subordinate every interest in the colony to the numerical majority will have a sobering effect on the public mind, and cause men to entertain a wholesome scepticism as to the possibility of anticipating the millennium by Act of Parliament. But after a while some other Berrys will arise to proclaim a fresh crusade against capital and to draw away the people after them. It is these periodical fits of credulity which seize the masses in spite of frequent disappointment and dearly bought experience, which bring discredit upon the democratic principle, and render a continuance of good government impossible.

The agitation for an appeal to the constituencies, begun in the country, was carried on in Parliament. Mr. Berry and his colleagues thought—as subsequent events showed, rightly—that a dissolution would give them a majority and restore them to the offices they had quitted so reluctantly. As the readiest means of keeping alive the excitement, obstruction was resorted to. A “stonewall,” as it was called, was erected in the way of business, and the forms of the House were taken advantage of to prevent the Ministry obtaining supply or getting on with measures of any sort. The Opposition said it had a majority in the country and was therefore entitled to the control of the Government. The Ministry pointed to its majority in Parliament, and maintained its constitutional right to the position it held. After repeatedly entreating his adversaries to withdraw from the position they had taken up, and after allowing them ample time for consideration, Sir James M'Culloch

carried a resolution which dislodged the obstructionists from the point of vantage they occupied behind the standing orders, and brought the "stonewall" down with a run. This resolution, which provided that the question should be put, under certain conditions, without further debate, was completely successful as a tactical movement, but it was only forced through in the face of the most obstinate resistance. Night after night a furious war of words was waged, and it is impossible to say how far the contest would have been carried, had not the Ministerial side turned the flank of the "stonewallers" by an adroit use of the "previous question," and so rendered a prolongation of the defence impossible. There can be very little doubt that the motion was necessary. The only alternative open to the Government was to dissolve at the dictation of a minority, which was contrary to all constitutional rule. But at the same time it is evident, from what has taken place since, that the necessary coercion applied in order to escape a forced appeal to the country on the one hand and a deadlock in public affairs on the other, still further increased the unpopularity of the M'Culloch Administration, and proportionately improved the chances of the Opposition. The advantages were pretty equally distributed between the contending parties. Sir James M'Culloch cleared the obstacles to business from his path, while Mr. Berry made political capital for future use, by appearing as the unfortunate but gallant champion of popular rights. It was not to be supposed, of course, that a party containing a Major Smith in its ranks would fail to secure all the compensation that could be extracted from misfortune by dexterity and shrewdness. No sooner had the fatal resolution been tabled than it was denounced as "the gag" and "the iron hand," as "un-English," unfair, horrible, impious, criminal, and I know not what else beside. In the then state of the public mind, the enemies of the Government were able to persuade themselves that it was all these things, and a great many more, and I need hardly say that their dislike of the expedient resorted to was not allowed to die out for want of fanning. The Berryites were in no mood to ask themselves, who rendered the adoption of the "iron hand" necessary, or to recognise the unconstitutional nature of the objects which their friends in Parliament were pursuing. They only remembered that a Ministry, that advocated an extreme policy which they approved, had been displaced, and that its reckless efforts to regain office out of the ordinary course had been effectually thwarted. Is it to be won-

dered at that, under such cruel circumstances, leaders and people furiously raged together, meditated revenge and vowed reprisals?

We may see in all this business the principle of action peculiar to "Berryism" in its full development. When we come to speak of some of the doings of the second Berry Administration, it will be found that it has been consistently applied. The principle is simple, but hitherto the people of Victoria do not appear to have seen through it. Reduced to practice, it consists in urging extravagant pretensions in connection with some question possessing a temporary popularity, and having thereby forced men with a stake in the country, and some idea of what is essential to its prosperity, to assume the defensive, in turning upon them savagely for presuming to have an opinion at variance with the majority. Men who simply desire to defend their rights and property, are denounced as the selfish upholders of exclusive privileges, the stolid opponents of progress, and the enemies of the people. Need I say that "the people" are always and solely the supporters of the "Liberal" cause, or that the "Liberal" cause, at present, is and can be only the cause which the Berryites espouse. The principle is not an original discovery by our present rulers, for, as most people know, it was acted on by the wolf in the familiar fable; but to Mr. Berry and his friends must be awarded the merit of having adapted it to the conduct of political affairs, and proved its capacity for misleading a free, independent, and generally reasonable people.

Whatever we may think of the objects which Mr. Berry and his followers set before themselves from the day Sir James M'Culloch took office, it must be admitted that they pursued them with an industry, a perseverance, an utter disregard of trouble or discouragement, and a wholeheartedness which those who seek the good of the country, and have no selfish end to serve, would do well to imitate. In Parliament and out, on the public platform and in the journals they could command, at meetings, *soirées*, "tea-fights," "muffin-worries," "banquets," and what not, Mr. Berry, or some one of his henchmen, would be found in his place, bidding the public remember that, except in relation to the trifling formalities of exercising power, and drawing the emoluments of office, the late Ministry was the real government of the country, and that so long as it was prevented from carrying out its programme, the constitution was virtually suspended, and the people were the most abject of slaves. Those who know the gentlemen who have introduced the new system of government by agitation, can understand what savoury

messes they would make out of such materials, flavoured by allusions to "the gag," the "oligarchy," and such like ingredients, for the deglutition of the faithful. But the party did not expend all its energy on desultory efforts. It set on foot an organisation in Melbourne under the style and title of "The Reform and Protection League," whose principal object was to work the elections in the interest of the Liberal cause. Branches were established in the chief centres of population, and when "the numbers went up" on the 11th May, 1877, it was seen how thoroughly these associations had done their work.

We have dwelt at some length on the early history of "Berryism," because a knowledge of its origin is essential to a right understanding of its nature and proceedings. Mr. Berry's present Administration did not come bounding on to the political stage breathing out threatenings and slaughter, menacing capital, holding up every man above the level of a day-labourer to public contempt, condemning the organic laws of the State, and speaking of force and revolution as commonplace weapons in the armoury of politics—it did not make its appearance, I say, as a new and separate creation. The existing Administration is merely a natural development, the germ of which was called into existence when Sir Charles Gavan Duffy took Mr. Berry from the Eastern Market and other similar spheres of action, and, by making him a minister, established a rallying-point in Parliament for kindred spirits. His promotion showed that success as an agitator might in some quarters be considered a recommendation for high office, and thus the way was paved for the introduction of "stump" principles and practices into the government of the country. No one will deny that Mr. Berry possesses talents of a certain kind. As a speaker he is fluent, emotional, not fastidiously correct in statement, ready in retort, and vehement in action; in fact, nearly everything necessary to move the masses, who, as a rule, care more for such qualities as these than for accurate premises and close reasoning. What stands Mr. Berry in more stead than anything, perhaps, is the capacity he possesses for propounding exploded fallacies as though they were new discoveries or eternal truths, and gravely arguing on assumptions which either have not a shadow of foundation to rest upon or are notoriously opposed to patent facts. But the special peculiarities which go to constitute an effective popular orator are fatal defects in a statesman. The oratorical temperament is impulsive, sanguine, too eager to make points and grasp present advantages to consider anything beyond

the immediate present, or to forego a point out of consideration for secondary effects or wide-reaching consequences. The principal characteristics of a good ruler, on the other hand, are deliberate judgment, cool caution, unwavering perseverance, with just that *souçon* of dash and daring which is necessary to give flavour to solid qualities. The result of placing men of the "gushing" sort in positions of supreme authority has never yet been found satisfactory. They arouse expectation, beget enthusiasm, and throw everything into disorder; then come reaction and disgust. Given an ambitious gentleman constituted like the Chief Secretary, surrounded by colleagues equally aspiring, who are ready to flatter his vanity, second his views, and supply all his deficiencies in the way of force and determination, and that sort of organized confusion, which, for want of a more descriptive name, I have called "Berryism," may be looked for as a necessary consequence.

Having thus briefly sketched the progress of the Berry or *soi disant* Liberal party in its struggles to come to the front, it remains for me to briefly notice some of its doings since the time it achieved pre-eminence and secured a fair field for the development of its principles. When the result of the general election was known, Sir James M'Culloch determined to resign at once, instead of wasting time by going through the formality of meeting Parliament and receiving his *congé* after some one or other of the orthodox fashions. It yet remains to be proved whether the innovation on the old constitutional form is a judicious one. It certainly enables business to be proceeded with a few weeks earlier than it otherwise would be, but except under very extraordinary circumstances, this is only a questionable advantage. While time is gained by the new practice, the Crown is deprived of an opportunity of seeing how parties group themselves in a new Chamber, and of ascertaining whether there are any indications with regard to leadership which were not apparent during the electioneering campaign. As a general rule, I think it will be admitted that it is advisable the Crown should see a new Parliament actually at work before it is called on to change its advisers. However, on the occasion under notice Her Majesty's representative had not much difficulty in deciding on the gentleman who should be commissioned to form a new Administration. It is true that there had been some vague hints thrown out in certain quarters to the effect that "Berryism" without Berry would have a better chance of success, but the object of these polite attentions was not to be thrown over in this way. Like all "patriots,"

Mr. Berry is great at sacrifices, but the idea of sacrificing himself for his party is, apparently, not one which he regards with favour. No sooner had the hon. gentleman been authorised by the Governor to construct a new Cabinet than he became the subject of one of those mental aberrations from which no one, I suppose, is absolutely free. The hon. gentleman came under the extraordinary delusion that, after the course he had pursued for the previous eighteen months, both in and out of Parliament, men of moderation, possessing a stake in the country, would consent to join him. That it would have been well for the community had some one so qualified responded to the invitation does not admit of a doubt; but we can hardly be surprised at any person, desirous of keeping his loyalty to constitutional government free from suspicion, refusing to accept such leadership. After a time, which must have been one of anxious suspense and bitter chagrin to his former colleagues, Mr. Berry fell back upon the old team. The new Premier subsequently made a virtue of the necessity he was under, and descanted to friendly, but, I should think, somewhat sceptical audiences, on the advantages of having Ministers entirely unconnected with any of the great interests of the colony.

One of the first things to be done upon meeting Parliament was to impose the long-promised land-tax. If the Government had desired to consult the real interests of the country, this operation, and a good many other proceedings, would have been postponed to a more convenient season. Already there were symptoms of a coming depression in commercial affairs. True statesmanship would have avoided any action calculated to agitate the public mind or to assist passing events in impairing that confidence which is essential to industry and enterprise. Either Mr. Berry and his colleagues could not read the signs of the times, or they were afraid, after the pledges they had given, to propose delay. There can be little doubt, I imagine, that had they foreseen the disastrous effects of their land-tax in the creation of distrust and the depreciation of every sort of holding, and suggested the advisability of waiting until the country was in a better position to bear the inevitable consequences of class legislation, they would have had to submit to many unpleasant reflections on their conduct. But with an enormous majority at their back—a majority which, as we shall presently see, they were going to attach to their fortunes by something stronger than ideas in common or election pledges—they could have afforded to face any storm that might arise. However, procrastination was furthest from their

thoughts. Immediately after the form of discussing the budget had been gone through the land-tax resolutions were submitted. They embodied a scheme exactly similar to that proposed by the first Berry Administration, and although subjected to a searching criticism, in the course of which nearly all the faults which have since become apparent were clearly indicated, they passed without alteration. The impression received by many who watched the debate was that Ministers were afraid to entertain proposals for amendment, lest a slight alteration should get their plan into a state of confusion from which they, in their inexperience, would be unable to extricate it. Certain it is that they made use of their overwhelming and docile majority to bear down all opposition, although the cruel injustice, which the arrangements they had made would inflict on some sections of the community, was clearly pointed out to them. It is unnecessary to say that a bill founded on the resolutions subsequently passed the Assembly. Anything which the Government chose to introduce would have received the assent of that Chamber in the early days of the present Parliament. The measure in question not only taxed the land, but also made very ample provisions for the exercise of a discriminating patronage. Some people, who could not properly appreciate the requirements of party politics in a pure democracy, suggested that, with a view to save expense, municipal ratings might be taken in assessing estates, and that appeals against the valuations affixed might be prosecuted before the County Court judges. Such a proposal, however, was abhorrent to the heart of the great Liberal party, and accordingly provision was made for three commissioners to hear appeals, with salaries of £1500 per annum, and for a whole army of classifiers. The latter, as was doubtless intended, were appointed solely on political grounds, and their general incapacity has been such as to keep the former fully employed. The whole affair has turned out a stupendous piece of bungling. Owing to incapacity—malice cannot be imputed in connection with details—the incidence of the tax has been outrageously unequal, while its productiveness, notwithstanding the expense gone to in its collection, has not amounted to three-fourths of the estimate. But although it is a sad subject, there is one incident connected with it which cannot be recalled, even at this distance of time, without a smile. When the bill reached the Upper House, its consideration was postponed for a fortnight, in order that some returns, which had been called for, might be produced,

and that hon. members might have a chance of digesting the text. Mr. Berry professed to see in this very reasonable proceeding a plot against the chief item in his programme, and so, with a pompous fussiness, which appeared most ludicrous to the onlookers, he moved the adjournment of the Assembly for a similar period, in order to strike terror into the hearts of the gentlemen in "another place," by showing them the dreadful lengths he was prepared to go should they prove recalcitrant. I need hardly say that the members of the Legislative Council were not greatly agitated by this terrible threat. They laughed a little, and then went about their business as though nothing had happened. Eventually the bill received their assent, although not without a solemn protest against its impolicy and unfairness. The characteristic features of Berryism may be seen in connection with this business. A bill was sent to the Upper House which had nothing to recommend it but its acceptability to those with whom land-holders are unpopular—a bill which even Mr. Berry admitted was inequitable in some of its details—and no sooner did a suspicion of resistance arise than bluster and menace were resorted to.

The next example of "Berryism" *in excelsis* to which I would call attention is the method adopted to secure a continuance of payment of members. It was generally understood, soon after the meeting of the Houses, that a solemn compact had been entered into by the Government and its followers, whereby the former pledged itself to provide salaries during the continuance of the Parliament in return for willing obedience and "generous" support. I do not suppose that the terms of the treaty were ever reduced to writing, but apparently it was not considered the less binding on that account. As the session went on, some hon. members appeared to get anxious about their prospects. They knew that the monthly cheques would cease with the prorogation unless something were done, and yet the Ministry made no sign. A time came when human nature could not endure such agonising suspense any longer, and the Premier was interrogated with regard to his intentions. Owing to what took place, Mr. Anderson asked the gentleman representing the Government in the Upper House whether there was any truth in the rumour that the necessary sum was to be included in the Appropriation Bill instead of being sent up, as usual, in a separate measure. An evasive reply having been given, the Legislative Council addressed His Excellency, respectfully representing its right to be afforded an opportunity of considering the question free

from that coercion which is exercised when votes involving matters of policy are included in Appropriation Bills. This proceeding, however, was of no avail, and very shortly afterwards a message from the Governor was brought down to the Assembly, recommending, amongst other things, an appropriation for "compensating" members. Thereupon some negotiations took place which resulted in a separate bill being sent up, making the requisite provision. This the Council refused to pass, on the ground that it was officially seized of the fact that Estimates were before the Assembly containing a sum for the same purpose, and that so long as this was the case it was under *duress*. In due course the amount again made its appearance in the Upper House as an item in the Appropriation Bill for the year, and caused the summary rejection of that measure. The Government retaliated by a wholesale dismissal of the civil servants, on the pretence that it was necessary to husband supplies in order to meet the outlay absolutely required to carry on the business of the country until an answer could be received from the Secretary of State, to whom His Excellency had referred for instructions. To the real nature of this transaction I shall refer presently. To make a long story short, the quarrel was finally adjusted by the item being taken out of the Appropriation Bill and the Legislative Council consenting to pass a separate measure continuing payment to the end of the existing Parliament. An attempt has been made recently to set aside this arrangement, but to the credit of the Government be it said, the essay met with no encouragement from it. The country will now have an opportunity of pronouncing for or against the system, free from those feelings of excitement which prevent the formation of a deliberate judgment whenever the two Houses come into conflict.

It appears to me, that it is in connection with this contest for payment of members that "Berryism," as exemplified by the rank and file as well as the leaders of the Liberal party, appears at its very worst. In the first place, the Upper House was assailed and insulted for endeavouring to save the country from the disastrous consequences which it foresaw *must* result from the line of conduct that the Ministry intended to pursue. The address which the Council presented to the Governor, praying His Excellency not to take any step which would deprive it of an opportunity of considering the payment of members question, was spoken of as a most unwarrantable interference with the exclusive financial privileges of the Assembly, whereas it only had for its object the prevention of proceedings

which led to a state of affairs that cost the country millions of money in stoppage of business and depreciation of property. That it was not an interference of the sort described, is plain to everyone who can read the Constitution Act. The Council has a perfect legal right, if it so pleases, to address His Excellency on any subject, financial or otherwise; and it surely would have signally failed in its duty had it remained quiescent when it saw things being put in train, which it would be bound to oppose at the cost of great suffering and loss to the community. If it is said that the House of Lords would not have acted in a similar way, the answer is that we cannot tell what use the House of Lords would make of its legal powers, until we have seen it frequently assailed as our Upper House has been. As to the constitutional aspect of the matter, it may be said that our constitution lies within the four corners of an Act of Parliament, of which fact Mr. Berry's Reform Bills are sufficient evidence. I submit that after taking an impartial view of what transpired, it is impossible to come to any other conclusion than that the outcry against the Council's far-seeing and patriotic action was raised in order to blind the public to the essentially selfish nature of the contest upon which the Assembly had entered. Various excuses were put forward by the Ministry and its friends for the course adopted. It was contended that the country had pronounced in favour of payment at the last general election, but, as a matter of fact, it is certain that hon. members studiously avoided challenging the opinion of the constituencies on the subject. Then, again, it was asserted that the Council, having twice affirmed the principle of payment, might be supposed to have given a general assent, and that under the circumstances the Ministry was justified in taking its approval for granted without the formality of another bill. But everyone knows that the concurrence of the Upper House was secured on both occasions on the express understanding that the system was to be regarded as an experiment. If this had not been the case, what necessity would there have been to limit the duration of the Acts? Some said that it was necessary to obtain the money in order to vindicate the financial privileges of the Assembly, but seeing that eventually a compromise was agreed to, this explanation will not bear examination. Others declared that it was not to secure payment for themselves that they desired to see the Treasury tap turned on, but simply to establish a principle essential to the continued existence of the Liberal party. This assertion, however, was plainly contradicted by facts. The

Liberal party already had an overwhelming majority in Parliament, so payment could not be necessary to secure one; while as to the Liberals of the future, they were left, by the settlement effected, to shift for themselves. All the facts and all the inferences point, I submit, in one direction. They are incompatible with any other conclusion than that the Liberal party, as it is called, under the leadership of Mr. Berry and his colleagues, deliberately brought upon the colony all the losses and distresses of a deadlock, for the sole purpose of paying its individual members £300 a year. No doubt the action taken on the occasion may be euphuistically described in a variety of ways, and wrapped up in very high-sounding phrases, but in its naked deformity it is as ugly a specimen of self-seeking at the cost of the public as can be found in the records of any party.

I have already said that in the course of the struggle for pay the Government dismissed a large number of the civil servants. In order to obtain the consent of the Governor to this proceeding, His Excellency was told that its object was to economise the funds at the disposal of the Treasury so as to make them last during the continuance of the deadlock. His Excellency was further given to understand that a general reinstatement would take place as soon as public affairs had returned to their normal condition. When the redemption of this promise was claimed at a subsequent period, Sir George Bowen was somewhat curtly requested to mind his own business and not to interfere with the discretion of his advisers. The effect of this sudden blow on many of the civil servants was most cruel. Without a moment's warning, they were turned upon the world to shift for themselves in any way they could. Some of them, through long connection with the routine of a Government office, were unable to put their hands to different work, while others were incapacitated by age from making a fresh start in life. But considerations of this sort had no weight with the "great Liberal party," who sacrificed them and their families upon the altar of political expediency with the lightest of light hearts. It is true, I believe, that in every instance those dismissed got some compensation, but I ask impartial men to consider how far a few hundred pounds could be considered an equivalent for offices which were supposed to be practically tenable during good behaviour. The proceedings of "Black Wednesday," as the day of the civil service massacre was graphically styled,

are to be regretted, not only on account of the injustice done to individuals, but also because of the well-nigh irreparable injury they inflicted on the *morale* of the various departments. They have destroyed all confidence in the permanency of public employment, and it is within the knowledge of every one who has paid attention to the subject, that a good civil service, without a reasonable security of tenure, is an impossibility. Men who are there to-day and liable to go to-morrow as the victims of political complications, are under strong temptation "to make hay while the sun shines," and to find their interest in political intrigue rather than in an honest discharge of their duty to the country. Already, if we may believe current rumours, the general tone of the departments has suffered deterioration, sycophancy and spying having in some instances taken the place of proper independence and good faith. How the matter will end it is impossible to say, as the leader of the Opposition has let it be plainly understood that whenever the reins of Government pass into the hands of the party he represents, immediate steps will be taken to redress the grievances of the dismissed officers. It is evident that the claims of justice in this particular cannot be ignored by any set of gentlemen who wish to see the affairs of the country properly administered; but it is equally clear that unless the constituencies speak out with no undecided voice, any such attempt to remedy the wrongs which have been perpetrated will be seized on by some succeeding Liberal administration as an excuse for introducing, in all its fulness, the American plan of awarding "the spoils to the victors." This would only be in accordance with that principle of "Berryism" which leads its adherents to take advantage of their own wrong—to wantonly provoke, or even necessitate retaliation, and then to quote the reprisals in justification of the original sin and further outrages.

I venture to think that when Mr. Berry and his colleagues retire into private life, they will not look back upon their conduct in connection with this "Black Wednesday" business with anything like satisfaction. Putting aside all considerations connected with the private suffering they inflicted, and the public evil they wrought by destroying the character of the Victorian civil service, they must be aware that throughout they cut a contemptible figure owing to the disingenuous way in which they went to work. Had they boldly avowed that they desired to get rid of a number of heads of departments whom they found a clog upon their proceedings, had they given it

plainly to be understood that they intended to establish a reign of terror in their respective offices, or had they said openly that they wished to strike a side blow at the Legislative Council by depriving those suspected of sympathising with it of their daily bread, it would have been possible to respect their candour and courage, while their judgment and liberality were held in light esteem. But looking back on what actually occurred, it is impossible to feel anything but disgust at the shuffling and equivocation resorted to. The consent of His Excellency to the dismissals—a weak consent for which he was afterwards taken to task by his official superior, the Secretary of State for the colonies—was obtained, as I said before, on the ground that temporary economy was necessary in order to avoid the great inconvenience to the public which would have been occasioned had it been necessary to suspend the ordinary functions of government. But no sooner had the deed been done, than its true nature was allowed to peep out in platform speeches and Parliamentary explanations. It was no longer temporary economy, but permanent retrenchment; a method of returning “blow for blow” in the quarrel with the Upper House; a means of singling those out for punishment whom the Council “would dearly have liked to have saved,” of showing that in the Berry Government the “oligarchs” had not got children to deal with, and a variety of other things totally unconnected with the considerations submitted to the Governor. No one can deny that it was a very “smart” piece of business considered as a tactical movement in party warfare, but “smartness” in the modern acceptance of the word borders so closely on a number of qualities which people generally have agreed to hold in abhorrence, that its intermixture with any given proceeding is usually sufficient to secure its unqualified condemnation.

In treating the question of reform, equal loyalty has been displayed to the ruling principle of the Berryite system. Proposals have been put forward which were utterly inadmissible except on the supposition that the Legislative Council is prepared to vote for its own annihilation, and their rejection has been made the text for many fiery harangues, in which the Upper House has been reviled for its alleged obstructiveness, after the most approved fashion. Unfortunately for the revilers, the object of their complimentary remarks met the attack on it in a manner that was quite unexpected, and not a little embarrassing to the Government. In the course of last session, while it was daily being consigned by the patriots of the

Lower House to the infernal gods, the Conservative Chamber roused itself to action, and under the leadership of Sir Charles Sladen and Mr. Cuthbert passed a bill and a series of resolutions of so liberal a character as to cut the ground completely from under its detractors' feet. Had the Assembly been more concerned for the welfare of the country than for the safety of the Ministry, it would have insisted on an attempt being made to arrive at a settlement on the basis so provided. Probably it would have felt itself compelled to do so had a despatch from the Secretary of State, then in possession of the Government, been before it. In this missive Sir Michael Hicks-Beach pointed out the duty of endeavouring to effect an arrangement on the spot, and the inutility of appealing to the Imperial Parliament except as a last resort. This despatch, however, was suppressed until after the prorogation, and Mr. Berry, accompanied by Mr. Pearson, went on his travels to spend £5000 of the public money on an embassy from which, according to one of his colleagues, he never expected that anything would result. It is not my intention to go into particulars concerning the application of "Berryism" to reform, as the question is still under discussion, and therefore is not ripe for treatment. Suffice it to say, that from the extreme nature of the proposals submitted, it is evident that the usual course of action is being applied to the treatment of the subject. Seeing that the Government must know perfectly well that no scheme whereby the Council would be deprived of all control over financial affairs has the slightest chance of becoming law, we can only assume that the object of its first measure was to create excitement, that the Embassy was designed to keep the question alive during the recess, and that the second scheme—now under consideration—is meant to prolong the agitation. The injuries inflicted on the country by the extravagances of the Government in connection with this subject are simply incalculable. Capital has had a taste in the land tax of what may happen under the existing state of affairs. But if such class legislation is possible at present, what might be expected of an Assembly, wholly given over to "Berryism" by the will of the majority, were to exercise unchecked control over matters of taxation and finance? One would have thought that the conduct of the Government in provoking a deadlock over a question of pay, in the dismissals of "Black Wednesday," and in submitting extreme proposals for reform, would have been considered sufficiently alarming to satisfy the

requirements of the most ardent "Liberal." Such, however, was not the case, and in order to raise the alarm to the requisite pitch Ministers took every opportunity before the departure of the Embassy of indulging in language of the most riotous and revolutionary character. The possibility of a recourse to physical force was openly alluded to, while all available means were adopted to set class against class and to inflame the public mind against those who, having acquired property, desire to enjoy it in peace under some guarantee for its safety. It may be said that in asserting this, I am but repeating the accusation of party newspapers. My reply is, that the proof of what I have alleged is on record in the reported speeches of Mr. Berry and his colleagues.

There are many other things by which the character of "Berryism" might be illustrated, if space did not forbid me to go further. My object, however, is not so much to chronicle the doings of our present rulers as to show by a few leading particulars of their official history "what manner of spirit 'they' are of." I think I have shown that the art of government as practised by them consists in keeping the public mind in a state of continual perturbation. Their appeal is always to the passions, not to the reason or judgment of the community. Their plan of operation is simple, but effective. It consists in putting forward inadmissible pretensions ostensibly on behalf of the masses, and then turning their rejection into a capital grievance. The resistance they deliberately provoke is not only used to keep the temperature of the national life at fever heat, so as to prevent attention being directed to the blighting effects of a tumultuous policy on the material interests of the country, but is also offered as an abundant excuse for every high-handed proceeding, every dereliction of duty, every deed of corruption, and every popularity-hunting expedient that may be thought likely to benefit themselves or their friends. The Liberal party as led by Mr. Berry is like a hostile army quartered on a conquered country. It has neither part nor lot with the discomfited inhabitants. It is not sufficient for it to exercise all authority and enjoy the spoils; it apparently considers that it would be guilty of a criminal weakness if it did not make the vanquished feel continually the full bitterness of their overthrow. I need hardly say that the policy adopted of using powers granted for the general good for the purpose of trampling upon a temporary minority can only have the effect of permanently dividing the community into two sections, perpetually warring with

each other. Sometimes the advantage will incline to this side, and sometimes to that, but the outcome must always be adverse to the commonwealth. There is yet time to avoid such a fatal rift in the body politic, but disunion can only be avoided by the speedy elimination of "Berryism" from the management of affairs, and a return to that sober, considerate, and peaceable style of government which is in harmony with British character, British tastes, and British institutions.

W. JARDINE SMITH.

FINANCE AND FINALITY.

WHERE discussions are angry and protracted, men generally lose sight of the original issue. So many side-questions arise, and the excitement of controversy so clouds the clearest vision, that a constant recurrence to the old standpoint can alone keep the disputants in anything near the right direction. It will therefore be useful to state as briefly as may be the present condition of the unhappy disputes between the two Houses of our Parliament.

There are three classes of Constitutional questions which in this country have during the last fourteen years been and still are under discussion. These questions relate to Finance, to Finality, and to the Franchise. Concerning the Franchise and its cognate subjects I cannot treat in this paper. The dispute as to Finance was the immediate cause of the original quarrel, and it has occasioned or at least quickened the controversies upon the other two subjects. The story is an old one and yet it must be retold. The Constitution Act enables the majority, with the advice and consent of the Legislative Council and the Legislative Assembly, to make laws in and for Victoria in all cases whatsoever. This general power is restricted by subsequent sections of the same Act. Some of these sections limit the power itself : some regulate the manner in which it is exercised. Thus, while there are three parties to all legislation, each of whom, in the absence of any restrictions, is free to act according to its own discretion, special provisions, affecting each of them, are in certain cases enacted. Of these provisions those which relate to the Crown are enabling : those which relate to the two Houses are restrictive. The Crown has the power of amendment in all cases, a power which the Crown does not possess in England. The Governor may alter every clause in every bill, and every item in every appropriation. Her Majesty has no such power. Practically this great power, which was, I believe, granted in deference to a crotchet of Earl Grey, has been inoperative, for it is not consistent with the exercise of responsible government. The special

provisions which relate to the two Houses limit the general powers given by the first section of the Constitution Act, but limit them in conformity to the practice of their Imperial analogues. The Council cannot originate and cannot amend either an Appropriation Bill or a bill which imposes taxes. The Assembly cannot originate a bill of either class without a previous recommendation from the Governor. These are the only statutory provisions affecting the three branches of our Legislature. They are interesting, for they illustrate both the difficulty and the danger of departing from the old lines. The increase of the power of the Crown has failed. The restriction on the initiative of the Assembly is too often evaded, but with manifest disadvantage. The restriction upon the initiative of the Council has succeeded. But the attempt to convert into a statutory rule the mere practice of the two Houses of the Imperial Parliament respecting the alteration of financial measures has been the cause of all our trouble.

Many years of fierce disputes between the Lords and the Commons resulted, in the case of money bills as in some other less striking instances, in a silent compromise. Both parties acknowledged each other's strength, and both carefully avoided quarrels. The Lords, although they never abandoned their claims, never made any amendments. The Commons, although they had thus carried their point, never tempted the Lords to exercise their powers. From the time of Queen Anne to the present day, the Commons have never intentionally included in any money bill any matter which did not fairly belong to it. They have never sought to embarrass the Lords by presenting as part of a money bill that which was really not a money bill. Further, even in the case of Appropriation Bills, the House of Commons is careful never to include any unusual item, unless the Lords have in some manner previously intimated their assent. When, on a remarkable occasion, the Lords expressed a hostile opinion, the House of Commons deliberately, and after consideration, withdrew the debateable item from the Appropriation Bill, and sent it to the other House in a separate form. The result of this mutual forbearance has been during many years, and often troubled years, uninterrupted harmony on the subject of finance. The Lords and the Commons have often quarrelled, and quarrelled bitterly, under the House of Hanover, but never upon the application of money. No Appropriation Bill has ever been rejected in England, because in England no such bill ever contained any provision or any grant that was not fair matter of ordinary appropriation.

The course of events has been far different in Victoria. In England the Commons felt that in denying the power of the Lords to amend money bills, they were contending against the exercise of a right the legal existence of which it was difficult to deny. But in Victoria the Assembly had before them the plain words of an Act of Parliament. They had, therefore, no inducement to moderation, and they showed none. Yet I believe that the dispute arose in all honesty. A mistake was made as to the real meaning of the Paper Duties case. It was thought that that case extended to Appropriation Bills, while in reality it was limited to tax bills. The result was that in reliance upon this erroneous view the Tariff was attached to the Appropriation Bill. I do not know that any person, even the strongest supporter of the Assembly (I write of course of persons who possess any knowledge of the subject), now supports that unhappy mistake. But the beginning of strife is as the letting out of water. Men soon forget the merits of the original dispute in the animosity which the dispute itself engenders; and when a line of conduct has been adopted, we usually defend it to others by arguments, which in the first instance would never have convinced ourselves. It was the special misfortune of Victoria that out of this Tariff-dispute and directly connected with it another cause of quarrel, in many respects resembling the former case and yet distinct from it, arose before the old wound had time to heal.

I do not mean to repeat the story of Sir Charles Darling. It is enough to say that in consequence of his share in the troubles of the time he was recalled. The majority in the Assembly proposed to include in the Appropriation Act a grant to his wife. To this grant the Council objected. I am not concerned with the reasons for their objection, which, indeed, are plain enough. But they insisted that such a grant ought to be the subject of a separate bill, and ought not to be mixed with the ordinary supplies of the year. The Assembly, on the other hand, contended that they were entitled to include any grant they pleased in an Appropriation Bill. Thus, this matter differed from the former one. The tack, whether it was of the Tariff to the Appropriation Bill, or of the Appropriation Bill to the Tariff, was certainly wrong. Such tacks are clearly contrary to modern parliamentary law. But a grant of £20,000 to a particular person is not a tack. It is not matter foreign to a money bill. Yet no bill containing any such disputed grant has ever been sent, or is ever likely to be sent, by the Commons to the Lords. To use a well-known distinction, the Tariff tack was illegal, and the Darling

grant was unconstitutional. That is, the Assembly, in the matter of the Darling grant, acted within their legal powers, but the exercise of their powers was not according to a sound and reasonable discretion. Such a discretion points to an avoidance of everything that tends even to the risk of collision between the two Houses. The law arms these bodies, in common with many public functionaries, with very extensive powers; but it does so on the assumption that these powers shall be used, not for private advantage or for party gain, but honestly for the public good. The British Constitution, says Mr. Gladstone,* "presumes more boldly than any other the good sense and good faith of those who work it. If, unhappily, those personages meet together on the great arena of a nation's fortunes, as jockeys meet upon a race-course, each to urge to the uttermost against the others the power of the animal he rides; or as counsel in a court, each to procure the victory of his client, without respect to any other interest or right; then this boasted Constitution of ours is neither more nor less than a heap of absurdities." No more notable example of this strict adherence to constitutional rule can be cited than the well-known case of Mr. Palmer, the leading case upon this branch of parliamentary practice. The whole of that case, which involves several points and extended over many years, deserves attentive consideration. For my present purpose, it is sufficient to cite the substance of the entries in the diary of the then Speaker.† I will premise that Mr. Palmer claimed from the Government a large sum of money; that the House of Lords had occasion to express an opinion adverse to that claim; that Mr. Palmer's friends in the House of Commons had succeeded in obtaining a vote in his favour; and that it was proposed to include this vote in the Appropriation Bill. Mr. Perceval, who then led the House of Commons, after much consultation with the Speaker, determined to bring in a separate bill for this grant. The Speaker remonstrated, and declared that such a course was an abandonment of the principles of the Commons. To this Mr. Perceval replied in the following terms:—"In the degree in which I feel the necessity of upholding as undoubted all the privileges of the Commons with respect to all grants of supply, I feel it important not to mix in any bill of general supply separate matters of grant upon which the Lords may reasonably be supposed to entertain a different opinion from the Commons, and upon which

* "Gleanings of Past Years," Vol. I., p. 245.

† "Lord Colchester's Memoirs," Vol. II., p. 153.

they have an unquestionable right to give their negative. When that is likely to be the case, and when the Commons, with their eyes open to such a case, so mix such a grant with their general supply for the services of the year, I conceive they do offer a violence to the undoubted right of the Lords and of the Crown not to have any question of any sort so tacked to the supply as to disable them from exercising an unfettered judgment upon the propriety of the grant itself." Subsequent inquiries removed the scruples of Mr. Speaker Abbott. He found several cases within the preceding fifty years in which absolute and unqualified grants in supply had been sent up in separate bills. Ultimately Mr. Palmer's grant was placed in a separate bill by a division of 186 to 63.

More than once since Palmer's case, the Crown has declined to commit itself to any request of the House of Commons which would tend to produce a disagreement with the Lords. Further, as a matter of practice, especial care is taken to obtain the previous consent of the House of Lords to any unusual grant. "The Lords," says Sir T. E. May,* "have taken exceptions to any message for supplies being sent exclusively to the Commons, and for upwards of a century it has been the custom, with few exceptions, to send such messages to both Houses, which is consistent with their constitutional relations in matters of supply." If the Lords have intimated their assent to any proposed grant, it is merely a question of convenience whether the grant be or be not included in the Appropriation Bill. But where the matter is important, and admits of serious debate upon political grounds, such for example as the recent transaction as to the Suez Canal, the question is submitted in a separate bill, and no obstacle is offered to the exercise by the Lords of their independent judgment.

The third case of dispute between our two Houses—that relating to the payment of members—resembled that of the Darling grant, except that it was more aggravated. Examples might probably have been found in which votes to individuals had, both in England and in this country, been passed without objection in Appropriation Bills, although the precaution of ensuring the concurrence of the Second Chamber had not been adopted. But the case of the payment of members was that of a grant sent in a separate bill, and when objection to that bill was taken in the Council, the grant was then included in the Appropriation Bill as an avowed means of coercion. It cannot be denied that the payment of members,

* "Parliamentary Practice," p. 425, 6th ed.

although it is concerned with money, is not properly a financial measure in the ordinary sense, but is a matter of public policy. It is equally certain that it is perfectly competent for the House of Lords to deal freely with such bills. The inclusion, therefore, of the vote for payment of members in the Appropriation Bill was a grave offence not only against the Council, but against the Crown. It was the abuse of a legal power to purposes for which that power was not given. It in effect forced the Council to protect themselves by the only means that the law allowed them, the rejection of the bill. It involved the Crown in the risk of the delay and even of the loss of its annual supplies. The matter was compromised by the Council ultimately passing the Payment of Members Bill, and by the Assembly removing from the Appropriation Bill the obnoxious vote. I do not now propose to consider the prudence of the course then adopted upon either side. But to every person who is interested in the honour of his country it must remain a lasting cause of regret that a flagrant breach of constitutional practice was adopted, not for the purpose of establishing a disputed privilege, but merely as an instrument to force through a reluctant Council a temporary measure in which the personal interests of the then members of Parliament were directly involved.

It thus appears that the English precedents establish two propositions concerning Appropriation Bills. First, no Appropriation Bill should contain any foreign matter. Second, no Appropriation Bill should contain any grant to which there is reasonable ground to believe that the Second Chamber would, on political grounds, object. It also appears that if these rules had been followed in this country, none of the disputes between our two Houses would have occurred. Further, it may, I think, be inferred that, if we wish to avoid disputes and at the same time to retain that relative position of the two Houses which the Constitution Act contemplates, we must in future conform to these rules. But, as what has happened once may well happen again, some provision for terminating similar controversies must be made. On this point our Constitution Act is silent. This silence has always seemed to me its chief defect. When two parties disagree, the court decides between them. Two bodies of men are each charged with the administration of an Act of Parliament, and differ as to its interpretation. Surely, in such circumstances, there should be some tribunal whose decision should be conclusive. If we could have taken the opinion of the Judicial Committee of the Privy Council whenever any serious

difficulty occurred, it is probable that most of our late difficulties would never have arisen. But although such a power is sorely needed, it is not sufficient for the whole case. The decision of the Judicial Committee is final as to questions of law: but I have said that some of our troubles arise not from questions of law but from questions of discretion. We could easily get a decision whether such a bill was or was not a tack, but the learned members of the Judicial Committee would probably hesitate to pronounce whether a particular grant should be included in the Appropriation Act or dealt with in a separate bill. Yet for this purpose also some umpire must be found. Under the penalty of intolerable deadlocks on the one hand, or of the still less tolerable despotism of a single House on the other hand, we must devise some expedient for securing the reasonable conduct of our financial business.

Various expedients have of course been proposed. Some of them are hopelessly inconsistent with parliamentary, or even representative government. I can only now consider some of those which are of a less sweeping character. Last session, the Council proposed in effect to repeal the 56th section of the Constitution Act, which gives the Assembly its exclusive privileges, and in return would probably have conceded its own dissolution. There is much to recommend such a proposal. Hitherto, each House has had its special inequality, and the result has been unsatisfactory. It might well be thought that it is worth while to start them on a footing of absolute equality, and let them run fair. But such a system is not that of England. Whatever its immediate advantages might be, it requires but little reflection to see the difficulty in working responsible government with estimates and budgets liable to the control of two separate Houses. On the other hand, although the members of the Council might, and probably would, in the interests of peace, submit to a dissolution, a dissolution in itself is not desirable in the interests of the public, and is not consistent with the principle upon which the Council is constituted. Very recently Mr. Freeman,* a very high authority, has raised a question which has frequently pressed upon my mind, whether in Parliaments of such short duration as our Parliament is, the power of dissolution should be retained. That if it be retained, its use should be rigorously limited to very exceptional circumstances, and should never be allowed as a matter of course to the Ministers of the day for mere party purposes, few persons, I think, will dispute. Some

* See *North American Review*, August, 1879.

feeling has arisen in this country because, during the controversy on the Darling grant, the Assembly was dissolved while the Council, which was alleged to be equally in fault, was unaffected. But the answer is, that on that occasion the dissolution of the Assembly could not be justified. It ought never to have been asked, and never to have been conceded. It was simply a mistake, but one which the Council did not make, and for which it was not answerable. Penal dissolutions have long been abandoned, and they ought not to be used either for one House or for the other. But a dissolution of the Council is open to objection because it is the very object of that Chamber to represent the more stable and permanent part of society, and not the mere excitement and transient emotions of the present moment. It is for this reason that the Council is renewed by the system of rotation; and with that system, as well as with the principle which led to its adoption, the system of dissolution is inconsistent. It would not be prudent to take away the power of dissolution, but the exercise of that power ought, I think, to be limited rather than extended. I fear, therefore, that the idea of placing the two Houses on an exactly similar footing cannot be supported.

The suggestion of taking as a common standard the practice of the Imperial Parliament has been often made. Once the two Houses actually agreed to do so, and it was arranged that a joint standing order to that effect should be passed. The idea has been recently revived, although merely as a hint, in Sir M. R. Hicks-Beach's despatch. Much blame has been attributed, very undeservedly, to the Council for not carrying out this arrangement. But it was obviously impracticable, and the first attempt to prepare such a standing order revealed the insuperable nature of the difficulty. It is, indeed, easy to say that our Parliament is to follow the practice of the Houses of Lords and Commons; but who is to determine what that practice is, or, assuming the rule to be ascertained, whether a given case does or does not fall within it? *Nil agit exemplum quod litem lite resolvit.* If our two Houses cannot agree upon the interpretation of a single section containing only three or four lines, what possible chance of agreement can be expected when they are turned loose in the journals of both the Lords and the Commons? Such a standing order could only be worked, if its administration were entrusted to a competent court. Probably neither House would care to have its powers and privileges thus defined.

If we look to England to see how difficulties between the two Houses when they occur—and they have frequently though not of late years occurred—we shall get some hints on which we shall do well to ponder. In the great quarrel between the two Houses about jurisdiction in the reign of Charles II., after a succession of prorogations, extending over fifteen months, had proved ineffectual, the King personally interposed, and recommended an erasure from the journals of all that had passed on the subject, and an entire cessation, an expedient which, we are told, both Houses willingly embraced. William III. exerted his personal influence to induce the Lords, in circumstances of great provocation, to overlook a tack. The Reform Bill of 1832 was carried, not, as it is constantly said, by swamping or threatening to swamp the House of Peers, but by the personal intervention of the King. Notwithstanding some observations to the contrary by Sir T. E. May, it seems now to be conceded that the King was on that occasion strictly correct in the course he adopted.* Nor is it unreasonable to assume that it is both the duty and the interest of the Sovereign, when from any cause the two divisions of his supreme council disagree, to exert all his power and all his influence, both official and personal, to restore their harmony. It is true that the Governor is not the Queen, and that he could not accomplish, perhaps could not safely attempt, that which Royalty may in a great emergency do. But still, if we follow our clue, we may perhaps fancy that we are approaching light. The practice of the Lords and Commons; the healing interposition of the Crown—these are the means by which Constitutional Government is carried on in England. The question is, how are we to adapt these influences to our condition?

I do not know whether there can be more than one answer to this question; but one at least presses upon me. I have said that the practice of the Lords and Commons can only be enforced by some quasi-judicial authority. I have said, too, that the mere personal influence of the Governor is plainly insufficient for the purpose. But is it not possible that the Governor might administer this branch of Parliamentary law? Is it not possible that the Governor might determine in a written and reasoned judgment, whether, according to the rules observed by the Lords and the Commons, a particular grant ought or ought not to be contained in an Appropriation Bill? I think that a good deal might be urged in favour of such a proposal. First, the matter would be settled by

* See Mr. Todd's "Parliamentary Government," Vol. II., p. 205.

ourselves exclusively, without seeking aid outside the colony. Next, the Governor has a direct interest in the harmony and cordial co-operation of the two Houses. Third, the Governor is directly concerned in the disputed grant, for he is a party to the proposed grant, and he has, as I have already said, the power not only to withhold his consent from the Bill, but actually to amend (which the Queen could not do) the disputed item. The objections to the proposal may easily be foreseen. It may be said that the Governor can only act with the advice of his Ministers. The answer is that there are many cases in which the Governor is bound to follow his own judgment, and that, of course, in such a case as I now suppose, the duty would be cast upon him as a personal trust. He would be required to give what would be substantially a judicial opinion, and in such circumstances he must act upon his own sense of duty, just as he does in appointing responsible Ministers, or in issuing Treasury warrants, or in exercising the prerogative of mercy. If it be said that the Governor might thus be placed in an unpleasant position, the answer is that duty is often disagreeable, but that if it be honestly performed it usually brings with it praise and not censure. If it be said that the Governor is not necessarily competent to decide such questions, and that it is probable that in former cases a wrong decision would, if this power existed, have been given, I say that every person who is qualified to fill the office of Governor of a constitutional colony ought to be competent to decide, subject to the rules of Imperial practice, such a question as that of which I speak. Whether this colony has always been fortunate in its past Governors, is a matter which it is not necessary now to discuss. But I contend that in this colony the office and the remuneration of the office are such as to raise a reasonable expectation that the holder of it will be a man of sufficient knowledge, experience and ability to deal fairly with such a question. I can well believe that some judgments of this description would not be greatly prized by writers upon constitutional law: but it is not for the sake of such persons that they would be delivered. We do not want to settle fine legal points: we want to terminate practically disputes. It is not the accuracy of the decision, but its certainty and its force that are needed. *Interest rei publicæ ut sit finis litium*: and this principle, which is familiar in private business, is still more important in public affairs. In cases which cannot wait, in which some decision must be at once taken, finality is essential. In other words, for such cases there must be some mode of settle-

ment—a good one if it be possible; but if not a good one, then as little bad as the circumstances admit; only some rule good or bad there must be. If in any particular case the judgment were wrong, the defeated party would feel that the general law of the case was undisturbed, and that their defeat consisted in a mere misapplication (as they would consider it) of that law to a particular set of facts. There would be no relinquishment of privilege, no infringement of independence, no reasonable ground even of quarrel. Two parties differ as to the application of a certain rule, and the person whose duty it is to decide the case declares that one of the two is right. There has been merely a difference of opinion which is brought to an end in the usual way, and the parties may remain as good friends as they were before.

I think that this is the true meaning of that demand for finality of which we have lately heard so much. Men feel that some mode of determination is necessary. Some modes may be better than others: but the main question is not as to the excellence of the mode but as to its existence. It is intolerable that the public business should be brought to a stand, and that the Queen's Government should not be carried on, or at best should be jeopardised, in consequence of disputes between the Queen's advisers. So far I think that we all are agreed. But it has been proposed to go very much beyond this point; and the demand for finality which arose out of financial disputes, and ought reasonably to be assumed to be limited to them, has been construed into a demand for finality even in matters of general legislation. I do not think that the public has ever desired or that it approves of finality in this latter sense. The public, indeed, is not much given to draw distinctions, and when a well-sounding word has caught its ear, is likely to take up a cry without troubling itself about its exact meaning. But this tendency renders it all the more needful that the different meanings which are attached to the same word or the different objects to which it may be applied should be carefully pointed out.

There is a broad distinction between finality in matters of administration and in matters of legislation. New laws can wait, but new business cannot. In proposing a new law, the burthen of proof rests upon its advocate. If he fail to show that his proposal is under all the conditions of time, place, and circumstances better than the law he desires to alter, he must fail. It is not enough that he should demonstrate the inconveniences of the old law. He must prove positively the superiority of his own scheme. Otherwise, it

is better to bear the ills with which we are familiar than to fly to others that we know not of. Hence the rule, *præsumitur pro negante*; if the person who makes the proposal can show only an equal balance in his favour, judgment goes against him. Men have lived somehow under the old system, and they can continue so to live until their minds are fully made up as to the merits of the proposed change. But it is otherwise with administrative business. The work must be done, and must be done without delay. Consequently the deliberation which in the making of laws is so excellent a quality becomes in matters of speedy action mere ruin. The public servants and the public creditors must be paid promptly; but if we do not get a new code of procedure, or a new code of substantive law this year or next year, or for many years to come, we can make shift with our obsolete practice, and our clumsy and obscure laws. As to the application of this distinction to the relations of the two Houses of the Imperial Parliament, I may, perhaps, be pardoned if I transcribe what I have written elsewhere:—

“The two Houses of Parliament may differ not only in the exercise of their function of controlling the Executive, but also in the exercise of their function of legislation. In each of these two cases there is a distinct remedy. If the House of Lords reject any bill submitted to them, the King’s Government, which had been carried on previous to the introduction of that bill, can still be carried on after its loss. But if the House of Lords disapprove of any administrative proceeding, the business of administration is at once impeded. It is in this case that the need for some power equivalent to a dissolution is felt. If the House of Commons were to censure the existing administration, the King would have the power of testing the extent to which the nation agreed with the opinion of its representatives. But since the House of Lords cannot be altered by a dissolution, it would, unless some other check were provided, have the power of obstructing the Executive with absolute impunity. In these circumstances, the remedy which the Constitution provides is that which I have already endeavoured to explain. It permits the censure of the House of Lords to be overruled by the express approval of the House of Commons; and thus enables the question, if the case should so require, to be by means of a dissolution ultimately submitted to the decision of the constituent bodies. But where a difference exists between the two Houses on a measure of legislation, that difference may possibly continue for years without peril or inconvenience, and the Constitution, therefore, provides

no summary method of reconciliation. It trusts to the good sense and moderation of both parties. Full discretion is given to each House, and the Constitution assumes that the exercise of that discretion will be sound and well-regulated. If any measure be an object of strong public feeling, and be passed by successive Houses of Commons and by large majorities, the Lords, however distasteful to them the measure may be, will generally give way. If the Lords be determined in their resistance, the Commons are seldom unwilling to moderate their demands. The healing influence of the Crown is always present to soften any asperity. The still more potent force of public opinion restrains within reasonable limits the ardour of the Reformer and the inactivity of the Conservative."

It is certain that finality in legislation is unknown in English law. It is not difficult to perceive that no such finality is in the nature of things possible. In all the schemes that have been proposed to attain this object, it is assumed that the result must be favourable to the change. But suppose it were otherwise, suppose the party of the movement were defeated in the last resort, is it likely that they would accept that defeat or acknowledge that finality? If, for example, the two Houses were to meet together under the so-called Norwegian scheme, and if, by some chance, the opinion of the Council were to prevail, does any person imagine that that vote would be regarded as conclusive? Such a finality is essentially one-sided. There might be a finality of opposition; but there never would be a finality of agitation. At present, great questions are settled in England, slowly indeed but surely, because legislation never takes place until public opinion on the subject has been definitely matured. Very often this process requires a whole generation. Old habits and old opinions do not easily change. But with new men come new ways. The opposition decreases, and ultimately dies out: and the change which once seemed equivalent to ruin is silently and peaceably accepted. We may, of course, forcibly accelerate events. But nature, however impatient we may be, will not be hurried; and premature reform can only result in a change in the seat of agitation, and ultimately in the postponement of the object which it was sought to attain.

In my view, then, finality on general matters is unattainable. It follows, therefore, on this assumption, that the various contrivances to effect this object may be dismissed without any special criticism. But in connection with the so-called Norwegian system one point deserves notice. There is no real resemblance between

that scheme and the system in force in Norway. Strictly, there is in Norway only one House, and not two Houses. The Norwegian Representative Assembly appoints a committee of its own members which performs some of the functions of a Second Chamber. In cases of difference between the parent Assembly and this committee, or I should rather say, between the two divisions of the Assembly, they re-unite and act as one body. The case is curious and full of interest, because it shows an attempt to effect in a simple body a differentiation and a tendency towards political development. But it at the same time marks a political development distinctly lower than that to which we have attained. While the Norwegians are struggling to go forward, we are asked to struggle to go back. That which is progress to them would be regress to us. The Norwegians have got an inchoate Second Chamber; we, if we should adopt the present proposal, would have taken a very long step towards a return to a single Chamber.

I have said that it is alleged that the people have set their hearts upon this general finality. If the views I have urged be correct, the people, if they do entertain these desires, will obviously be in the position in which a spoiled child is when he cries for the moon. But I have never seen any evidence that the people are so unreasonable. I strongly suspect that, if we could discover the true wishes of the great majority of the people in this country, we should find that they want to have good government pretty much as they have been accustomed to have it in England; and that recent events have not by any means induced them to modify their belief that for the purposes of good government two independent Chambers are very desirable. But whatever may be the sentiments of the people, the sentiments of the Imperial Government admit of no dispute. In his despatch (3rd May, 1879) in reply to the "Embassy," Sir M. E. Hicks-Beach refused to accept the suggestion for "mechanical" legislation, and observes that he has not yet seen any suggestion for such legislation which he can deem free from objection. As he had before him both the Norwegian scheme and the *plébiscite*, and Mr. Berry's other ingenious devices, it might have been supposed that this part of the question had been set at rest. But in the same despatch, Sir M. E. Hicks-Beach is careful to exclude all appearance of countenancing any such scheme. As the sum of the whole matter, he writes as follows:—"I can hardly anticipate that the Imperial Parliament will consent to disturb in any way, at the instance of one House of the colonial Legislature, the settlement embodied in

the Constitution Act, unless the Council should refuse to concur with the Assembly in some reasonable proposal for regulating the future relations of the two Houses in financial matters in accordance with the high constitutional precedent to which I have referred [*i.e.*, the relation of Lords and Commons], and should persist in such refusal" after a special appeal to the constituencies. It is worth while to examine attentively these words. They represent the deliberate opinion of the Imperial Government, after no small pressure had been brought to bear upon them in one direction. The conditions, then, of any Imperial interference are—

1. The refusal of the Council to concur with the Assembly
2. In a reasonable measure
3. Upon the financial relations of the Houses,
4. Based upon the practice of the Lords and the Commons,
5. And the persistence in such a refusal after a special appeal to the constituencies.

Thus the Secretary of State conceives that the question at issue is the financial, not the general, relations of the Houses. The measure which he requires must be reasonable, and must be upon the English lines. In his judgment neither the *plébiscite* nor the Norwegian system is reasonable, for in a preceding paragraph, as I have shown, he has condemned them both. Nor is either of these proposals limited to financial questions. On the contrary, they are meant to apply to every subject that comes before Parliament. Nor is either of them constructed upon English lines. Indeed, as their very names declare, they sail under a very different flag. They are not only different from, but are inconsistent with, the English system. It is not by reference to a *plébiscite*, or by voting as if they formed a single House, that the Lords and the Commons settle their disputes, whether these disputes relate to finance or to matters of general legislation. Where there are two legislative Chambers, unless one of them is a sham, the free consent of both is in all cases essential. If in any circumstances or under any conditions the necessity for such consent be taken away, there may be, indeed, two Houses, but they are no longer the two independent Houses such as exist in England.

The present difficulty is caused by the attempt to deal with a question which has not been raised by any actual facts. It is a fundamental maxim in English legislation, never to go further than the exigencies of the case require. "To think nothing," says Lord

Macaulay, "of symmetry, and much of convenience; never to remove an anomaly merely because it is an anomaly; never to innovate, except when some grievance is felt; never to innovate, except so far as to get rid of the grievance; never to lay down any proposition of wider extent than the particular case for which it is necessary to provide; these are the rules which have from the age of John to the age of Victoria generally guided the deliberations of our two hundred and fifty parliaments."* If we adhere to this practice, our embarrassments will quickly disappear. There is a present need for preventing deadlocks upon Appropriation Bills. There is a present need of securing in such cases finality, and of providing that the power so given shall not be abused for purposes other than that for which it is conferred. It is comparatively of little importance by what machinery these objects thus limited are secured. But no practical necessity has arisen, or appears likely to arise, for any similar finality as to general legislation. Nor does the theory of our Constitution admit of any such interference. That Mr. Berry and his followers should insist upon its adoption is intelligible, because, however they may disguise it, their aim plainly is to establish a single House. But that some of those who appreciate the bicameral system, and are anxious to maintain it, should endeavour, even at the risk of a political schism, to force upon the public a measure unwarranted in principle, unknown in practice, for which the people in this country have never asked, and of which the Imperial Government expressly disapprove, is to me truly marvellous. If we could be content to accept the postulates of the Secretary of State's despatch, and to restrict our discussions to the subjects which it specifies; if we were to admit that we are to have two Houses, and that each of these Houses is independent; that in financial matters one House should have a decisive authority, and that reasonable precautions should be taken to prevent the abuse of that authority; the matter would quickly be at an end. We should have no more deadlocks, and no more agitation for Constitutional reform.

W. E. HEARN.

* "History," Vol. III., p. 85.

CIVILISATION WITHOUT DELUSION.

"You who have escaped from these religions in the high-and-dry light of the understanding may deride them; but in so doing you deride accidents of form merely, and fail to touch the immovable basis of the religious sentiment in the emotional nature of man. To yield this sentiment reasonable satisfaction is the problem of problems at the present hour."—TYNDALL.

SINCERE believers in the doctrines of Christianity must be seriously troubled at the increasing number of persons who, if not frankly hostile to the dominant creed of the civilised world, are at least indifferent to its teachings.

Setting aside those men who openly exclaim against the churches, and call aloud for the establishment of some form of philosophic teaching which may replace a formula which they hold to be outworn, we cannot open a newspaper or a review without being made painfully aware that the solemn reverence with which the sacred mysteries of religion were once treated has disappeared, that periphrases innumerable are resorted to in order that writers may avoid admitting the possibility of miraculous occurrences, or of seeming to acquiesce in a belief in the supernatural. Among the best intellects of our time, how few are there who freely accept the dogmas of the priesthood, and among the priesthood itself how many are there who sadly seek to believe at once in fact and fable, and to reconcile the revelations of religion with the revelations of science. For this class, the struggle between science and religion is fraught with terrible interest. They would fain believe, despite their reason; they are compelled to reason, despite their belief. Seeing around them the foundations upon which they had built their hopes of happiness, fading into unsubstantialities; hearing day by day that some cherished and beautiful illusion has been taken from them, never to return; placed between furious bigotry on the one hand and sneering infidelity on the other,—the earnest-minded upholders of the religion of Jesus suffer a martyrdom more terrible than that which sanctified the first preachings of his disciples

in the streets of imperial Rome. To die in the service of a Prince, powerful to reward, who holds out promises of a splendid future to the heroes of his army, is really a death to be desired and envied. To feel that the heralds of the great Prince's power—themselves deceived—have spoken of palaces which are but cloud-built, and fertile lands of peace which have no existence—this is to suffer indeed, to taste all the agonies of martyrdom, and to die without having grasped the crown.

Much has been said concerning the "world-smart," the weariness of life, the melancholy of modern thinkers. The melancholy of the age arises from this growing conviction, that the Religion of old time is insufficient for present needs, that the tender time of trustfulness in the supernatural is well-nigh over, and that the faith of our fathers is passing away from us. The reflections which passed through the mind of Froude's muser among the ruins of the old abbey, are now too familiar to the minds of most of us. "Look at me," the old ruin seemed to say. "Centuries have rolled away, the young conqueror is decrepit now, dying as the old faith died, in the scenes where that faith first died, and lingering where it lingered. The same sad, sweet scene, is acting over once again. 'Twas the college of the priests, and they are gone, and I am but a dead ruin where the dead bury their dead. The village-church is out-living me for a few more generations, there still ring Sunday after Sunday its old reverend bells, and there come still the simple peasants in their simple dresses—pastor and flock—still with the old belief; there beneath its walls and ruins they gather down into the dust, fathers and children sleeping there together waiting for immortality, wives and husbands, nestling side by side, in the fond hope that they shall wake and link again the love-chain which death has broken. So simple, so reverend, so beautiful! Yet, is that too, all passing away beyond recall? The old monks are dead, the hermit-saints and hallowed relics are dust and ashes now. The fairies dance no more round the charmed forest ring. They are gone, gone even here. The creed seems to stand, but the creed is dead in the thoughts of mankind, its roots are cut away, down where alone it can gather strength for life, and other forms are rising there, and once again and more and more as day passes after day, the aged faith of aged centuries will be exiled, as was the old, to the simple inhabitants of these simple places. Once for all, if you would save your heart from breaking, learn this lesson; once for all you must cease in this world to believe in the eternity of any

creed or form at all. Whatever grows in time is a child of time, and is born, and lives and dies at its appointed day like ourselves." The writer of these words was expelled from his college-fellowship less than thirty years ago for writing them. Alas! what college would expel him now?

The predicted change has begun, and on all sides are warning notes,—“ancestral voices prophesying war,”—of coming ruin. The seasons run their course; the gentle spring of Christianity, its fierce summer, its liberal autumn, are ended, and louder in the ears of the pious believer in the stability of the rock-founded creed of Christendom, sounds the prophetic dirge of doom. The struggle of the reason and the emotions will tear in pieces the “well-built nest” of Faith:

Its passions will rock thee,
As the storms rock the ravens on high,
Bright reason shall mock thee
Like the sun in a wintry sky.
From thy nest every rafter
Shall rot, and thine eagle-home
Leave thee naked to laughter
When leaves fall and cold winds come.

The leaves are fast falling, and the cold winds are blowing. Where shall the human heart next build its sanctuary?

The primary reason for the revolution which is occurring in the moral world is the abandonment of belief in the Miraculous. Science having for the first time in the world's history succeeded in getting it generally understood that all the operations of nature are conducted upon certain fixed principles which no amount of spiritual exercise can affect, the comforting but delusive theory that God interferes to aid those who venerate him, and punish those who venerate him not, disappears. With admission of the argument that miracles have been, and are, impossible, the claims of all religions founded upon miraculous performances fall to the ground. In the eyes of unbelievers, the miracles of Moses, Christ, and Mohammed are of no more value than the miracles of Ulysses or of Mr. Home, and the claims of Moses, Christ and Mohammed to be more than human teachers fall to the ground likewise. But the infidelity of the age goes further. A man can only believe that which is possible for him to believe, and a mind once convinced that God has been made out of ideas, and that it is as foolish to worship a God made out of ideas as it is to worship a God made out of wood, is brought face to face with the conclusion that prayers and praises are valueless, that no good deeds

can avert misfortune and no sins call down the vengeance of Heaven, that threats of future punishment and hopes of future reward are both made without reasonable foundation, and that there is no absolute certainty of any other life but this.

Save, therefore, that violation of the laws of society, and violation of the laws of physical and moral health, bring generally, but not necessarily, certain well-known punishments, a bad man may live as happily as a good man, and a good man die a death as wretched as any formerly imagined to be the peculiar lot of the sinner. This, stripped naked, is the creed of the nineteenth century, nor is it confined to the little world of Christendom. The increased facilities for the spread of information which have made this century so wonderful in the annals of the world have placed the educated of all nations upon an equality of knowledge. The missionaries of rebellion are abroad, and almost simultaneously the educated Mussulman is informed that his paradise is a dream, the Brahmin that his self-denial is a folly, and the Buddhist that his hopes in Nirwana are as unreasonable as the fears of purgatorial fires, or the expectation of the musical glories of the orthodox Christian heaven.

The condition of a world thus deprived of the restraints of supernatural terrors appears very distressful. But the destruction of a set of religious beliefs does not necessarily mean the destruction of religion, in no way means the withdrawal of moral restraint. To love virtue because the lovers of vice will be eternally tormented, is but a poor sacrifice to the welfare of mankind. A man who performs acts of benevolence only to save his own soul is a mean, selfish being. The Christian, Buddhist, or Brahmin who leads a moral life in this world merely to go to heaven in the next, is no further to be commended than the shopkeeper who is industrious and frugal in order to purchase the ease and retirement of a private villa. But the strong-souled man who lives uprightly because he feels that selfishness and sin injure the welfare of his fellow man, who does that which is his duty, that which he and all other free souls know to be their duty, without hope of present fee or future reward, that man needs the ministrations of no priests, and demands not the "consolations" of religion. But while honest men admit the moral grandeur of such a nature, they—being believers in a church of one sort—regretfully assert that outside the pale of that church there is no future salvation, or—being believers in a church of another sort—that the mass of mankind will not be governed by pure

morality, and that the innate viciousness of human nature can only be controlled by forcing men to believe in matters their reason rejects, and by threatening them with unbearable torments. To the believer who roundly protests that his miracles are true and that his church will last for ever, nothing can be said. He has surrendered his judgment, and put himself outside the pale of reason. But the doubter, the earnest pietist, the clinger to old forms, the sorrowful tribe of augurs who sigh, not smile, when they meet each other, may be asked to consider if humanity will really lose or gain by the extinction of a belief in the Supernatural. Religion can never die. for religion is a political necessity. It was political necessity which created it and nourished it, and which has moulded and will ever mould its outward forms to suit the requirements of the time.

There are at present five great supernatural religions—Buddhism, Judaism, Brahminism, Mohammedanism, and Christianity. Each of these is the result of the growth of the political life of the nation in which it first appeared. The manufacture of the religious feeling by the human intellect in various parts of the world is a curious study, but its course and result are always alike. When the developed man began to communicate subjective ideas, he constructed a theology of the elements—he worshipped the Wind and the Fire. Soon he grew more intelligent, and finding that some of his tribe could bend wind and fire to their bidding, he turned his reverence in that direction. Then began Ghost-worship, the phantoms of departed warriors were invoked, and soon it came to be understood that the sky was peopled with these vanished great ones who were as gods. The old men—the sages of the tribe—were the natural mediators between those whom they were so soon to join and the young men but newly entered upon life. Hence the Priesthood, the holy men alone fitted to speak of the mysteries of spirit-land. There was now established a spiritual kingdom, for the god is nothing but a heavenly spiritual despot, religion a form of spiritual government, and priests but spiritual magistrates who are paid to exercise their functions.

The earliest of these spiritual kingdoms was that of Brahma. Its religion was originally but a worship of the elements. The invention of "caste" and a complicated ceremonial, established and enriched a powerful priesthood who taught the doctrine of metempsychosis, and recognised a future state of rewards and punishments. Buddhism was a revolt against the galling yoke of the Brahminical church. Its founder was the son of a king. He gave up worldly

honours, and devoted himself to the cause of humanity. There is not a reference to God in the teachings of Buddhism. To live without pride, envy, or fear—to practise benevolence and patience—is the duty of man. According to man's life in this world will be his life in the next. Perfect happiness is Nothingness. The struggle between Brahminism and Buddhism was long, but the priests were finally compelled to modify their pretensions, and as contact with surrounding nations increases, the attribution of a sacred character to "caste" is being gradually withdrawn. The customary fictions were told concerning Buddha. The memory of the young prince is now venerated by five hundred millions of people, who keep establishments of monks and nuns, and, having invented a theory of incarnation, worship the reformer as a god.

A somewhat similar form of worship to that of the early Brahmins existed in Egypt, but a more material civilisation consolidated a more splendid form of religion. The priesthood held in its hand the whole of the intellectual life of the nation. Priests were physicians, lawyers, manufacturers, artists, musicians, and astronomers. They received into their hands the new-born babe, they travelled with him step by step through life, they nourished his manhood, they cheered his old age, and at his deathbed gave him a passport to paradise. A Bedouin sheik, named Abraham, had a great grandson who was sold by his brothers as a slave to the Egyptians. The boy rose, married the daughter of a priest, became the favourite of Pharaoh. The family of his father still survived, and forgiving the injury which proved his salvation, Joseph sent for the Arab clan and established them in the land which had fed him so bountifully. We are familiar with the misfortunes of the tribe. We know how Moses—again the fortunate favourite of another king—led the nation out of the country which had grown hostile to them, and precipitated them upon the fertile land of Canaan. But the slavery of Egypt had unmanned them. They were driven back, and wandered in the wilderness until a new generation had arisen among them, sons of the desert, bold and fierce, who made short work with the peaceful Canaanites. But Moses, not daring to make himself king of this people, saw the political necessity of establishing a religion. Drawing inspiration from his Egyptian lessons, he issued a series of laws and commands. Avowing himself to be in personal communication with God, he declared that God would bargain with the Arab tribe, that in return for certain ceremonies and payments, success in war and plenteous harvests should be theirs. A priestly

order—called Levites—was established, and the religion known as Judaism began its wondrous progress. It boots not to track the history of the descendants of Abraham. There came a time when they in their turn were driven out of their country, when later still another religion was brought into contact with theirs. In the lovely land of Greece, and by the shores of Roman Tiber, the same religious history had repeated itself. The rude savages worshipping the sea, the stars, the air, had learnt to worship abstract forms of beauty. The elders had established a priesthood, and censers swung and psalms resounded in praise of fair Venus, or of Mars the war-god. The philosophic few smiled, as they always smile, at the vagaries of the vulgar, but the priesthood was powerful, and the people raved, as they ever rave, around their images and temples. The Jews refused to worship at the Roman shrines, and for some years a series of religious conflicts secured them a brief period of independence terminated by another bondage. But the Jews themselves were on the eve of a religious revolution.

The nation had been already dispersed. Judaism had never recovered the first captivity. The Jews of Judea were still "Hebrews of the Hebrews;" they believed that the world was made for them, and that on their account alone did God create empires and destroy them. The Jews of exile were to be found in the most enlightened cities of the civilised world. Their business was commerce, and they sat in the porches of philosophers and the palaces of kings. The savage shackles of the Mosaic law were slipping from these travellers. Preserving the doctrine of the Unity of God, they mingled the philosophy of Plato with the theology of their fathers. An age of science had begun, and belief in the Miraculous was beginning to lose ground. In Jerusalem itself there were two parties: the Sadducees and the Pharisees. The Sadducees clung to the Law, and refused to believe in hell because there was nothing about such a place in the writings of Moses. The Pharisees were the zealots of the Jewish church. Minute in forms and ceremonies, they had adopted the Persian theory of the resurrection of the body and of the rivalry of an evil God. The Persians believed also that the evil God would one day be vanquished, and that a general deliverance from suffering and sorrow would take place. It had long been a prediction of Jewish prophets that some one of the descendants of King David would arise and re-establish the kingdom; in fact, numerous persons headed rebellions with this cry. Ultimately such a "Messiah" rose

in the person of Jesus of Nazareth, who claimed to be the son of the "Most High," "spake as never man spake," and declared that hereafter his disciples should see him coming in the clouds of heaven to judge the earth. Jesus of Nazareth had long been obnoxious to the zealots of Jerusalem; he had called them opprobrious names, scoffed at their ceremonies, and reviled their customs. They did not miss the opportunity now afforded them. Jesus of Nazareth was accused of treason, and executed by the civil power, while his disciples separated in trembling, to wait for his second advent. But among the doctrines which the enthusiast preached was one which was politically necessary at that period—the doctrine of the equality of all men in the eyes of God.

The civilised world, at the time of the death of Jesus, groaned under the intolerable despotism of the law of Might. There was no liberty. Tyrants tortured and killed the loveliest and the wisest, for caprice or greed. Philosophy was powerless to save, for philosophy cannot inspire a nation of slaves by its cold and lofty teachings. But the Jews of Alexandria, of Antioch, and of Rome, found in the utterances of the Seer of Nazareth the wherewithal to comfort themselves. Another enthusiast, Saul of Tarsus, took up the story and claimed that the whole Gentile world should hear the tidings of democratic freedom. The costly ceremonies of the law were dispensed with, the humble virtues of benevolence and patience preached by Sakya Muni were preached once again, to a world that laughed with Lucian at its own theology. Christianity, to use the majestic words of Gibbon, "offered itself, armed with the strength of the Mosaic law and delivered from the weight of its fetters."

But human nature had not altered since the days of Egypt. Established as a state religion, Christianity soon had its priests, its praying-temples, and its holy shrines. Far inferior in intelligence to the priests of On, the bishops and monks of the Christian churches devoted themselves to inventing monstrous fables concerning themselves and their brethren, and murdering each other for believing in them. They quarrelled about the most wonderful matters—about the possibility of three being one and one three, of the indivisible being divided and not divided, of bread being flesh and wine being blood. The theological wars of Arius and Nestor laid waste the world, and the religion for which, in its simplicity, so many martyrs had died, abandoned the East to its fate and fled to Europe.

But the East was to have yet another reformer. The Bedouins

yet preserved the simple faith of Abraham. They worshipped the One God, the Unknown, but the idolators who usurped the religion of Jesus had intruded even to Mecca their superstitious emblems. Six hundred years after the death of Jesus the Caaba saw upon its walls a picture of him as a child-God, seated in the arms of his virgin-mother Mary. One Mohammed, a commercial traveller, who had married a rich widow, denounced this departure from the simple faith. The man was subject to epileptic fits, and imagined that he was possessed with a spirit, his disease culminating in his declaring himself the special messenger of God sent to restore the original faith of Abraham. By slow degrees he won the faith of his people. He conquered the surrounding tribes. He gave laws like Buddha, and composed a sacred book like Moses. His religion overspread the birthplaces of the Christian faith. A new religious war began, and for years the furious bigotry of dervishes and priests retarded the march of civilisation.

The establishment of the teachings of the humble carpenter's son resulted in fact in the establishment of that extraordinary period of luxury, misery, heroism, and bloodshed, which we call the Middle Ages. The sublime teachings of the Philosophers were forgotten. Ignorance was formally declared to be the mother of devotion, and amid plagues, war, and famine, Christianity focussed into the all-powerful, priest-elected bishop, who sat enthroned at Rome, on the site of the old pagan capital, ruled supreme. Kings and emperors bowed before the successor to the fisherman of Gennesaret. At his nod a nation could be disenfranchised of its right to participate in the joys of heaven, at his command a murderer could be plucked from the torment of hell. It is true that he had hurled mankind into a deeper slavery than the world had yet known, but it is true that his servants ministered to the wounded and the poor, as no men had ever ministered before. A frightful desire to bring the whole universe under the heel of priestly authority drove missionaries over land and sea. New countries—a New World—was opened to the wondering gaze of nations. Merchants and travellers voyaged hither and thither, and the luxuries, the literature, and the arts of the world flowed into Europe.

Political necessity now shaped anew the ancient faith. Luther and his schoolmen attacked the supreme authority of the pontiff. It was asserted that every man had a right to interpret the sacred writings for himself, that no divinity streamed from the finger-ends, that it was possible that Arius, who said that a father must exist

before his son, was right, and that Nestor could find among the physicians some authority for his obstetrical assertions. At last the head of the priesthood was openly defied, and told that he was not, and should no more be, superior to kings. Political necessity demanded a Reformed Church, and triumphed as a matter of course. But soon kings themselves heard rough speech. In America, and in France, the people thought that monarchy had existed too long. A republic is the natural home of men of science, and the new school of philosophy, which teaches that what is contrary to reason is not to be believed, sprang into being on both sides of the Atlantic. From the teachings of that school come the heretical books, which so alarm the worshipper at the old fane.

But the mere admission that the teachings of the priesthood are fallible has sealed its doom. The old Church still loudly asserts that she holds the keys of heaven and hell, that she is eternal, and will never die. Brave old Church! gallant defenders! faithful servants! But it is useless, the political necessity which created and sustained you has passed. March with marching civilisation and you will live. Oppose it, and your shrines will be with those of Osiris, and your temples with those of Egypt. The age of the Miraculous is over. The belief in sacred incarnations, in heavenly interpositions, in personal relations with the awful Spirit of the Universe, is dead. The temples are still full of worshippers, the offerings still tinkle in the plates, the confessionals are still thronged with breast-beating penitents, and the bed-sides of the dying, still cheered by the sweet delusions poured into too willing ears. But go out into the world. Where is your religion then? Does it inspire the politician, assist the man of science, or aid the physician? No, it embarrasses them all. Do its teachings lighten the heart of the philosopher, or assist the efforts of the philanthropist? Read the literature of the day—sip the life-blood of the running age—and answer.

The position claimed by the new teachers,—the teachers which tell us how to use the telegraph, the photograph, the graphotype and the telephone—has been explained by the writer whose words, already planted for years deep in the mind-soil of English-speaking men, I have quoted as an introduction to this essay. "All religious theories, schemes, and systems which embrace notions of cosmogony, or which otherwise reach into its domain, must, in so far as they do this, submit to the control of science, and relinquish all thought

of controlling it. Acting otherwise proved disastrous in the past, and is simply fatuous to-day. Every system which would escape the fate of an organism too rigid to adjust itself to its environment, must be plastic to the extent that the growth of knowledge demands." The measure of the people's knowledge is the measure of the people's religion. Educate your children to understand the discoveries of Tyndall, Huxley, and Darwin, and you will find them pleasantly laughing at the old fables of Jonah, Balaam, and Lazarus. Mankind, freed from the terrors of future torments, and comprehending that by no amount of prayers can they secure eternal happiness for their souls, will bestow upon humanity the fervour which they have hitherto wasted in sighs and hymns. The creed which teaches that the intellect should be distrusted will fade away. The interests now felt in churchmen's disputations will be transferred to discoveries of science. The progress of the world will be the sole care of its inhabitants; and the elevation of the race, the only religion of mankind. And this consummation of civilisation is nearer at hand than many think. "The demonstrably false," says a writer in the *North American Review*, "now exists in occasional and limited survivals," and if the process of popular enlightenment continues in the future as in the present, "a twentieth century will see for the first time in the history of mankind a civilisation without an active and general delusion."

MARCUS CLARKE.

A COMING CITIZEN OF THE WORLD.

IN immortal verse we have been told that "the proper study of mankind is man." The poet also kindly tells us where the study should begin when bidding us, as he does, to

Survey mankind from China to Peru.

In the present attempt at so beginning we are led to place below, in reviewer's fashion, the material of our article. It will be perceived that our ideas have not in the orthodox fashion been gathered from books, but from personal observation of our subject—the Chinaman, in different countries and callings, and at different periods. All mankind has been often called a book, and the present swift agency of steam gives ready access to the latest editions. It is quite possible, now, in a little time and at small expense, to survey mankind to a greater extent than from China to Peru, and to learn more by such short survey than many books and much study of them can supply.

Our knowledge is not of China, but of the Chinese. Of the Chinese land, the longitude to us is uncertain, and the latitude equally vague. What are its boundaries to all points of the compass, and the name of its present reigning monarch, and the length of his dynasty, is to us as equally unknown as that of his pigtail.

The Chinaman in London. There seen as a curio in his junk and ashore, 1844.

The Chinese Digger. Seen, with samples of all nations, at Forest Creek Diggings, Victoria. Australia, 1852-1879.

The Chinese as Railway Labourers, also as Washerwomen, Gardeners, and Fish Vendors. America, 1866-1876.

The Chinaman at Home. As seen there at Canton, Shanghai, Foochow, Hong Kong, Macao, 1877.

The Chinese in Java and Malaysia. As encouraged there by the Dutch. 1877.

The Chinese in Northern Australia and Queensland. As a labourer in a tropical clime. 1877.

The Chinaman as a Citizen. Melbourne, 1853-1879.

So is the length of the country's famous wall, and whom it now on all sides helps to exclude. What ideas the words "shin" and "kwei" give to a Chinaman of things heavenly and earthly is to us a mystery, as also why he has been from the beginning of time until our generation averse to travel, and called all the world outside his wall "barbarians."

The acquaintance we have with the subject is of the man only—individually and in numbers—abroad and at home. In four voyages at different times he almost constituted all our ship's passengers, and in each case the ship's sole servants were of his nation. We hold that a ship-life acquaintance is the most intimate that we can have with a man, next to that one of which the New Zealand chief boasted when asked,

"Did you know Brown, the missionary, killed at So-and-so about 18—?"

"Know him? plenty well! I helped eat him!"

Short of such actual acquaintance with what might be called his taste, we have seen the Chinaman's habits and avocations at very close quarters. He has washed as also cooked for us for months. As a chamber-maid and cabin-attendant, his hairless face and petticoated dress have almost at times made us mistake him for his better—for those who usually do household duties. We have been on board of his junks, and of his boat-life upon the rivers of his country know almost as much as himself—the whole of such domestic establishments being visible to one who is for any time, short or long, upon such floating dwellings. Present at his bridal and his burial, a visitor to his tea-houses, and his curiously kept cemeteries, our interest in him did but daily increase. With our interest also increased our respect in that sense in which we are bidden to respect our enemy. Working in his rice-fields, on the rivers, on board ship, as a domestic servant, digger, and navigator, we had looked upon him only in manual labour. His head, however, we found to be as clever as his hand. He acts as bank clerk to Europeans in the East, and money-changer and account-keeper to all merchants there. Now, those who are servants in one generation are often masters in the next!

The world and its ways have altered indeed since our quoted poet wrote. The study of mankind, which Pope imagined and advised, was one bounded by such prospect as books give. The reviewer of the past would, in writing on the subject of the Chinese, have selected for his material the books at that time

most accessible, and the list would probably have been that at the foot of this page or something like it:—

“The Shoo King, or The Historical Classic,” as compiled by Confucius, B.C. 500. Translated by Gaubil and De Guignes.

“Memoirs on Present State of China,” by Louis le Compte, of the Society of Jesuits. Amsterdam, 1697.

“The General History of China.” Translated from the French of Duhalde. London, 1741.

“Narrative of the British Embassy to China,” by Eneas Anderson. London, 1769.

By reference to other writers upon the subject, and to the discrepancies observable in their statements, our supposed reviewer would have sufficiently digested his subject. He would then have proceeded to make that mental “survey” which Pope would have done had he carried out more minutely as to China in particular that survey which he proceeded to make of mankind in general. The difference between the two methods of forming an opinion on a subject, is that between reading a technical description of the land we may be about to purchase, and looking upon a drawn and coloured plan of the same. In the one case, the mind would be filled with dry measurements to all points of the compass, and have therefrom to evolve a picture of the purchased land “in the mind’s eye,” while in the other all would be seen in the most hurried glance, and be at once comprehended. In similar way, a glance at the model of an invention is worth more than hours’ study of its specification. The best character we may get with a servant does not satisfy us so much as the required interview, and to be for a time in a country is to the better understanding of its characteristics. To be with its people there and elsewhere, is to the easier comprehension of them in that entirety which interviews alone can give. Though Shakespeare tells us that “’tis not a year that shows us a man,” we may learn much of national character by being among many that would take longer time to discover from the individual only.

As per the foot-note to the first page, we have indicated our acquaintance with the Chinaman in various places. It was in the early part of the Forties that one of them was, shortly after the first English war with China, to be seen at a London tea-dealer’s on the corner of St. Paul’s churchyard. As a live Chinaman, he was a great curio to the Londoners, who had previously, most of them, seen his like only in pictures. A Chinese junk was also shortly afterwards by tremendous exertion got across the seas and into the Thames, where it was, for a time, quite a rival in fame to that other

wonder of the London day—the Hippopotamus. Our next meeting with the Chinaman was at the close of that eventful year 1852, when the world's tide turned for a time to Australia. John Chinaman came with the rest of us to seek fortune at the diggings of Victoria and New South Wales, returning to fetch his kindred to help him. A poll-tax of ten pounds per head seemed as not retarding to him, but as helping to that increased zeal that oppression often gives. He landed elsewhere, beyond the poll-tax, and came over land to Victoria. Our next meeting with the Mongolian was as a settled neighbour and fellow struggler in city life, for which purpose he selected and appropriated a particular part of the town for himself and his countrymen as he does elsewhere.

In the United States, the further we went westward in the journey across the continent the more was the Chinaman met with. When not met with, his works remained to testify of his presence, which in San Francisco became very palpable indeed. He there makes greater show than in any part of Australia, and is a distinct element in the city's population. In Canton, Shanghai, Foochow, Hong Kong, and Macao we met with the Chinaman "at home," saw his domestic life, and the ways of a civilisation that holds together some four hundred millions of subjects. Progressing further, we found the Chinaman in Cochin, all over Malaysia, and as distinct a feature in Java as the Dutchman himself. In far-off and little-visited Northern Australia he was there before us, busiest of the diggers at Palmerston. Around the coast of Queensland we met with him in crowds, seeking to work where white men, through climatic hindrances, cannot well labour.

The time would appear to be approaching when the Chinese will be seeking settlement in every civilised country—becoming a part of the population of every popular city. In so doing they may be found to be, in many respects, reproducing in the future what another scattered Eastern nation have done for so many centuries past. Their habits at present incline to similar isolation and to a like clannishness and singleness of pursuit and purpose. They have similar ideas to those originally entertained, but never carried out, by the nation referred to as to a return to their native land. With the Chinaman, however, the idea is if possible realized. He returns home when fortune favours him, and if not, his next care is that his bones shall do so. Patriotism and filial affection—not bad qualities in mankind—exist more strongly in the Chinese than in any other section of humanity. In respect of love of one's

country, and a belief in its superiority, the Chinaman, and not the Scotchman, realises to the letter all that Scott imagined and portrayed in his famous sketch commencing,

Breathes there a man with soul so dead?

When we come to consider how the Chinaman has spread himself about the earth in the little period of forty years, since he was driven forth by circumstances, he may be regarded, in more senses than one, as "the coming man,"—not for one country or one quarter of the globe, but for the whole world. It is often seen in families that have been most coherent, and in that respect notable, how some circumstance will cause the departure of one from out the family circle. The charm is then broken, and that family is found to be soon altogether dispersed, that had hitherto withstood all of Time's changes.

It has been so lately with the Chinese, that large national family that had withstood from all time the fate of all other nations. That Hindoostan, with which alone China can be called contemporaneous, has succumbed to conqueror after conqueror—becoming for a time the property of every nation that assumed the leadership of the world. The peace of China was only disturbed, however, by its Tartar neighbours, until England's first war with it some forty years ago. The people that never emigrated, that practically showed their belief that there was "no place like home," instead of merely sentimentalising about it, and that would patriotically lay their bones in no other land, began then, for the first time, to disperse themselves about the world! As with the united domestic family, so with this greatest family among nations—this oldest of earth's empires. When it began to dissipate it went quickly, and went much about and afar off. As in their coming and goings the Chinese have no trumpeter nor herald of any kind, and ignore the use of newspapers to publish their doings, this quiet spreading of the Chinaman about the world is much overlooked.

Having observed the Chinaman and his doings, it has occurred to us that his quiet ways of working in the world are as little noticed as is the way he is spreading about. Quiet people and things seldom alarm us. We may treat the Chinaman too lightly, as was that statesman whose pretensions to place and power were, as Macaulay tells us, thought contemptible. His contemporaries sneered and laughed, pitied and despised him, and he "overreached them all round!" Gradually the Chinaman is coming into competition with

the labourers of the world, and may become a more dangerous competitor to labour than any of man's machinery. It is, perhaps, a discouraging outlook for the European labourer that the Chinaman should so likely in another generation or two come to compete with him; but the fact has been proved in America already, and will probably become more patent every year. In the account now before us of the construction of America's greatest undertaking, the Atlantic and Pacific Railroad, we read that—

"Labour was difficult to get, and when obtained, more difficult to control, until the Chinese arrived, and to them is due the real credit of the construction of the road."

Such paragraph refers to the most western half of the line, known as "the Central Pacific." Let it be noted that labour other than that of the Chinese was found *difficult to control*, to which another allusion will yet be made illustrative of the Chinaman's character.

The fact must be admitted that it is wholly impossible again to shut up the Chinese in their own land, as from the beginning of the world, until lately, they voluntarily shut up themselves. Great Britain rushed upon the Chinese nation as a bull-dog would among a field of sheep or milch cows, to force the Chinaman to open his markets to the opium of British India. Having succeeded at the bayonet's point in that questionable transaction, treaties were entered into—that is to say, were forced upon the Chinese as was the opium. By these the British were permitted to settle upon Chinese territory, and the like privilege upon British territory was accorded to the Chinese. Wherever, therefore, the Chinaman may be upon British possessions, he is there legally and by the best title he could well have. By such treaties he is also bound to be protected, and can claim compensation at law and from the State for any interference with his liberties and citizen privileges. The ant-hill has been disturbed and the hive smoked out with gunpowder. The Chinaman has spread, and will spread, and it is for the world to make the best of him. There is fortunately much good in him and to be got out of him, as we believe, for the world's benefit.

The Americans, who are foremost in every enterprise, thought that it was possible to be rid of the Chinaman by the simple agency of murder. In April, 1877, the Anti-Chinese League of California assassinated six of them in a batch who were employed in field labour at lower wages than the league approved. Though notice of

the intended killing was several days previously sent to both employer and employed, the courts still held such killing to be, notwithstanding the notice, a crime, and condemned the murderers accordingly. That attempt recalls only the like ones of the cotton spinners and loom weavers against machinery and its introducers in the latter days of the last century. The Chinese are themselves quite machine-like in their way of working, and are but another form of cheapening labour that employers will yet utilise to their own benefit as they have done machinery. It is, as experience has shown, a useless thing for labour to quarrel with capital. The idea of extirpating the Chinese by simple murder is absurd. So numerous are they, that even a million or two so disposed of would make no perceptible diminution. Such attempts always turn to the injury of the cause in which they are taken. As workmen in the world, the Chinese must be met on their own merits, into which we are now to look.

The Chinaman is more a "working man" than any other existing! Necessity has made him so—the hard necessity of his crowded country, in which continuous labour for all the seven days of the week, at the lowest pay, is the condition on which only his most frugal existence can be sustained. He begins to work for his living earlier in life than do any Europeans. A boyhood of play and a youth of football and cricket are unknown to the youthful Chinaman. If of the favoured few who can be kept late at school, the competitive purposes for which he is so kept there necessitate and task all his time. Everything in China is made competitive, and nowhere is the survival and success of the fittest better illustrated. The State kindly allows a preliminary selection to be made by parents, who are at liberty to rear only such children as they think likely to pay for the trouble. The most fit ones, or rather those proving eventually to be so, do pay well for such trouble, as the honours gained by successful youthful competitors are given to the parents, and not to the children. Titles and pensions go to ancestors, and not to descendants, and there are in China no booby lords or imbecile nobility.

Nature has favoured the Chinaman and fitted him for a life of toil that seems, in its poor reward, scarcely worth the living. Though tame as sheep and with as little of fight in them, the Chinese are by constitution hard and tough, capable of great endurance and the bearing of burdens and privations beyond European powers. They are not subject either to inflammatory diseases, but

are able to live and to keep in health in overcrowded apartments that would be deadly to most white men. Gout never troubles them, nor do they lose their teeth. As they shave off their hair from youth upwards, it is questionable whether they ever lose the often shaved roots of it. They are so kept the most cool-headed of people, and abstaining, as they do, from flesh-food and wines, their passions are not artificially enflamed as is the case with those who so indulge appetite. Rice and fish, with occasionally poultry for a feast day, is the Chinaman's food. He is so nourished by such digestible dietary that he can do labour upon it that those of other nations look upon with surprise. No European athlete can do more than lift the load with which the Chinaman can trot for miles! He is, at home, for most purposes, the horse of his country, and performs there work done by animals of draught and burden elsewhere.

The traveller in China sees with surprise how little of the supposed necessities of life are really wanted by us. That it is possible to live and to marry and bring up a family on a seeming nothing, is there practically exemplified in a manner that would have reconciled Martineau and Malthus to the increase of population. The poet who wrote of how little we want when here below might have got his ideas lessened by a visit to the Pearl river at Canton, and a sight of the boat life there as elsewhere in China to be seen in plenty. Thousands of the inhabitants live upon the water, a little boat of a ton or two and upwards being all of "house" that the family within it ever know,—such boats having a canvass covering to the middle, which suffices for shelter and "home" to husband, wife, half-a-dozen children, and frequently to a grandfather or mother. In such restricted space Chinamen are born, reared, live, work and die. Both themselves and their boats are cleanly looking, and are so kept, and the family are healthy and seemingly happy, though confined to a space and restrictions that would seem to our ideas worse than jail-like.

A reference has been made above to the "easily controlled" character of the Chinaman, and in that, to our idea, lies their greatest danger to workmen and labourers of other nations. The thousands of years of civilisation that China has enjoyed, and its paternal form of government, have had their due effect. That is illustrated in the easiness by which its people can be led and governed. Their power of combining and organising for any working purpose is superior to that of all other men. At the gold diggings such is seemingly their

sole means of success. A hundred of them will there be seen working harmoniously, submitting for weeks and months to their elected headman. A similar number of men of any European nation, or of many of such nations mixed up, would be found to be, ere a week had passed, what the Americans report that they found their workmen, other than the Chinese, to be—uncontrollable. The chances of getting large bodies of European labourers to work peaceably together are small indeed. Those chances are not increased even if a large number should be Irishmen. All the little gold digging parties formed of such elements never, to our experience, lasted longer than a month, but fell to pieces mostly in a week's time. The power of combination—the strength of unity, is by no people so well illustrated, both nationally and in private enterprises, as by Chinamen. Such unity it is that has helped to make China the most enduring nation in the world's history, and its largest empire.

Having glanced at the facts of our Chinaman's capacity for labour, his ingrained habit of labouring, and his power of combining with others therein, we will look now at some of his special industries. We have seen in the heavy work of railway construction how indispensable the Americans found him as a labourer. We have seen what an efficient gold-miner he is, and how he can by economy of living, patient persistence in labour, and combination in work, succeed on goldfields that are as barren to all other people. Debarred in the United States from competing with white labour, denied in Nevada territory, "Silverland," the right to work even as a miner for others, the ingenuous Mongolian turned his industrious hands to lighter labour, and was equally successful at the washtub, though not so indispensable there, as he had been at the labour of railroad construction. None but those of his nation could alike well handle pick and shovel and the delicate fingering work of "getting up" fine linen. A similarity of aptitude to the hand of the Chinaman is only to be found in that elephant's trunk which with equal proficiency roots up trees and picks up pins. It should be borne in mind that the Chinaman became laundress that he might not be a loafer—that he took to the washtub only when debarred from other labour, and so showed an enviable fertility of resource. Woman, with her usual cleverness, saw his value in that line at once, and cunningly adopted his cheap and efficient labour instead of driving him from it. The American washerwoman lives as a lady and not as a workwoman on the toil of the Chinaman at her washtub. We never paid so expensively for

the labour of the laundress as in America, and nowhere is washing work really done so cheaply. The laundress who charges sixpence for washing a handkerchief or other smallest article pays a halfpenny for it to the Chinaman who does the work. The prejudice against Mongolian laundresses is founded on utter ignorance of their real superiority in that way. Such prejudice the American laundry-keeper helps to keep up, and meantime trades on it to her great profit.

In husbandry the Chinaman stands first. Though his labour has not been so much directed to the growing of wheat, barley, and oats, he must wish that it had. The rearing of rice is the most laborious, arduous, of all the labours of the husbandman. The ploughing, sowing, harrowing, reaping, and threshing that Europeans alone know of are, when applied to the culture of rice, attended with twice the labour, and that always in swampy ground. The sowing is but a temporary matter. The stalks as they appear on the swampy surface have to be plucked and replanted stalk by stalk by hand, the sower, plucker, and replanter stooping meantime half-knee deep in the mire that this semi-aquatic plant requires for its proper growth. Extra labour attends every stage of its progress, even to getting it from that husk to which it clings with more tenacity than any other cereal. There are inner husks also from which to uncover it, and the work seems endless ere that white grain is obtained which we know of as table rice. It is but child's play to the Chinaman to grow the cereals of European fields after his apprenticeship to the labour of rice cultivation—that most toilsome work of all husbandry.

As carpenter, cabinet-maker, wood and ivory worker, the world has no better workman to show. Three-fourths of Chinese houses are of wooden construction. The carved interiors of the tea-houses show wood-carving at its best, and similarly as applied to house decoration in its great and by-gone time in Europe. In cabinet work we see the camphor wood and other boxes that are by the Chinaman decorated as cheaply as they are elaborately. We buy those, as also the intricately carved chess-pieces, and those puzzlingly-worked concentric balls within their bulbous parts. Never a thought when so doing is given to the extraordinarily cheap labour, that is equally a surprising part of the work as its artistic excellence. The box we may buy for half-a-crown has taken a week's time of work. Glancing for a moment from men's work to that of women in these artistic matters, we are reminded of a fine

picture in silk—the finest of needlework—bought by us in Canton lately for five shillings only. Those understanding such work say that it represents the result of three months of daily labour of one who was as much an artist as a needlewoman.

As a market gardener, the Chinaman is a positive providence in some quarters. He deserts for a time his gold-digging to provide the blessings of a vegetable diet for those who might otherwise lose health and strength for lack of it. His knowledge of manures and their proper application, the when, why and how of everything connected with gardening, is in advance of that of all Europeans. In admiring the celebrated gardens of Whampoa, a retired Chinese merchant at Singapore, we supposed the cost to be on a scale approaching that of keeping up Chatsworth's grand garden show. A few words as to Chinese gardeners, the large amount of work to be got out of them, their skilful labour, and its extraordinary cheapness, cleared up the matter. A pound paid to the Chatsworth gardener is represented by a shilling paid to the Chinese one—the more industrious, laborious, and more efficient of the two! As a market gardener, so to call him, the Chinaman is the more dangerous a competitor, as he is independent of markets. He goes straight to his customers, makes himself his own market-horse and cart by carrying in huge baskets slung from his shoulders a cart-load of vegetables. Besides getting full profits, he saves market dues and tolls, showing thus a superior keenness in mercantile and money matters, joined to the greatest capacity for drudging labour.

The Chinaman is about the only man who regards the water as to be cultivated like the land, and rears its harvest. The bottom of his rivers are by him as much studied as is the surface elsewhere. They are his fish preserves. He cultivates the weeds and water food of the fishes he would have multiply there and thrive. The like skill he extends to sea water, and oyster culture has been for a long time one of his special pursuits. He knows also how to dry oysters, and so to preserve them that hot water is alone necessary to making an oyster soup hardly distinguishable from that made of fresh fish. As a fisherman, he gets curious assistants, one of whom is a fishing cormorant, more able help to him than the hawk that formerly so helped our ancestors in other sport. As a fish cultivator, fish preserver and fisherman, he is with the water produce as with the land, and similarly he seeks his customers at first hand. No middleman handles his money when the Chinaman,

ceasing to be the good servant that he is, changes servitude for independent labour. Like Hal o' the Wynd, he fights always for his own hand when not dealing with his own people.

As a merchant he is, whether in large or small way, equally good. He begins as a pedlar with two chests of drawers carried on the customary bamboo across his iron shoulders. The small store-keeper has thus no chance against him. He pays no rent, rates or taxes, and goes direct to customers whom the storekeeper waits to come to him. His manners are simple and bland, and he has for that reason the goodwill of womankind, who overhaul his stock as they would a draper's, until tempted to purchases of which they had no previous intention.

As mercantile assistant, the Chinaman is in high favour, where he so gives his services. He appears among the European settlers round about his shores to be entrusted with the care of everything requiring attention, order and account-keeping ability. He calculates quicker than others, and rarely is a mistake found in his reckonings. Business is business with him, and in whatever way he undertakes it, the same zeal and patience are given to it. When the European bank manager has been interviewed, it is to the Chinese clerks and bookkeeper that we have to go for cashing the bank notes. The water-mark is duly inspected, as also long lists of stolen notes that are somewhere about the world. All being satisfactory, it is from the hands of the Chinaman that the change is handed to us. We did not go upstairs again to ask why the banker employed native labour, because we have observed that bankers know well what it is best to do.

As a cook, the Chinaman has really no equal in the world. To that assertion, any returned Chinese settler will attest. Throughout Shanghai and Hong Kong no European would admit other aid to his kitchen. Francatelli and Soyer might boast of their ability to prepare a good dinner from small materials, but in that way they have not had the necessary training that the Chinaman has received. The feeding of some four hundred millions makes a daily famine in his land! An economy of food that we know nothing about has, therefore, to be learnt. Where food is scarce, it has to be made the most of, and therein lies the art of cookery. The rat and dog meat market at Canton does indeed, in Hamlet's language, "give us pause." We have too much respect for the dog to make a meal of him when his faithful life is ended, and dogs in Eastern lands are kept on such terribly short commons

that they can scarcely be worth killing for the table. We were assured, however, by those who spoke from experience of both dishes, that a barn-fed rat cooked by a Chinaman is a more palatable dish than is a French cooked frog.

As housemaid, nursemaid, waiter, and bedroom-steward, the feminine-faced Chinaman seems the right man in what we otherwise thought to be only a woman's place. Ship-life experience—the closest we can have—enables us to testify to that much, and with those occupations we come to the end of the list of employments in which the working Chinaman came under our notice. When we saw a million of the Chinese in the census that the Dutch please to publish, of their Java possession, and when we saw the million employed there, our eyes were finally opened! Every possible obstacle is thrown in the way of Europeans, other than Hollanders settling in Java. An income and a property tax upon them was only last year added to their many other disabilities. When, therefore, the Chinaman is so welcomed in Netherlands India we know the reason why, and if we don't our forefathers have told us in this their pithy estimate of the Hollander's character—

The fault of the Dutch
Is giving too little and asking too much.

We have alluded so fully to the Chinaman's excellence as a trader, workman, labourer, and servant, with a view of showing how dangerous he may prove as a competitor with others in those ways. A glance may now be given to his religious character, and to those drawbacks to him as a citizen, of which we hear so often. We are told that he is a pagan, an opium-smoker, a gambler, and a libertine, that he is no settler or likely colonist, and even cheats the undertaker, the cemetery-keeper, and tombstone-cutter, by shipping off the bodies or bones of his dead to his native land.

China's immense antiquity is surprising to the readers of the world's story. That classical history of it called "*The Shoo-King*," before referred to as compiled by Confucius 500 years previously to our era, is itself the earliest of Chinese records. Its story embraces 1630 years, commencing from the reign of Yasu, B.C. 2356. We are taken thereby at once back between four and five thousand years to find China a civilised nation, with a reigning king and record-keeping people. How many years previously it had been a settled nation there is nothing to show. The date to which we go back is but to illustrate the religious question, as the compiler of the *Shoo-King* was also the compiler of the "*Book of Rites*," from

which we take now some corroborative evidence that the Chinese held then as they do now the doctrine of the immortality of the soul more clearly than the Hebrews did. In the time of Confucius, the teachings of Buddha had not spread to China as they afterwards did, and as they now divide with the ancient faith the religion of the people. The extract so now made will help explain some strange appearance of cooked meats seen about the few Chinese graves that have monuments upon them in our cemeteries:—

“When we die our spirit mounts aloft, and the survivors seek the housetops to call to it. They offer rice, fish and poultry as a provision for the body should the spirit return to it, in answer to the call so made. For that reason the corpse is carefully preserved, but so preserved that access can be had to it.”

Such is evidence of the belief in the soul and of its existence after death of the followers of the faith of Confucius, who are mostly of the better class of Chinamen. In the Chinese cemeteries, we noticed that the grave is never entirely closed, and that a tray-shaped space is left in front of the opening to it. The food is there laid for the reason above given, and is but a less sightly substitute for our floral offerings, and the Frenchman's wreaths of immortelles. The Chinaman is so attentive to religious duties, that almost every house seems to have its private altar, and the figure of that Fo, who, in the ancient faith appears to be the chief deity, or representative of the deity worshipped. The old faith of China, like the Brahminism of the Hindoos, is a much-mixed-up belief, and not readily comprehensible by Europeans. That of Buddhism, however, is plain enough; and as to the after-existence of the soul particularly so. Its transmigration, and the rewards and punishments attending it in its transmigrated forms, are well-known points of Buddhist belief. The Chinaman does not live, therefore, as by some supposed, with no belief in a hereafter, and fear of his fate there. The teachings of Confucius and those of Buddha have many points of resemblance to those of Christianity, and the precepts of the latter particularly so. In religious observances, the Chinese are as attentive as any nation in the world. They have no day set apart specially for worship as with us, their life being one of continuous labour, but are none the less observant of the forms and ceremonies of their faith.

The religion of the Chinaman is not, like that of the Mahommedan, one leading to aggression and to the persecution of others. His is not of the church militant, but of one that teaches suffering and en-

durance here, and that patient waiting and well-doing that are also of Christian teaching. It never leads to any fanaticism, and the Chinaman has no hatred to others who have been brought up in different faiths. Like the Hindoos and the Jews he is, as all Eastern nations seem also to be, quite missionary proof—all that Exeter Hall may vaunt to the contrary notwithstanding. The Chinese are the ancient of days in all things and the most conservative of mankind. They are now as they were in the time of Confucius in costume, customs, and learning, and are impenetrable to all changes and improvements. They lately bought up, that they might destroy it, the first line of railway laid down by British enterprise at Shanghai—the only railway in the land of China.

The vices of the Chinaman, as an opium-smoker and gambler, are freely admitted. The opium-smoking is, however, not so general as the smoking of tobacco with us, nor is the gambling more ruinous than our habit of betting. The opium indulgence was beyond our personal experience, but we appreciated the petty gambling and took part in it, both in Canton and Shanghai. It was not so expensive an amusement as card-playing, and less troublesome to the player. As a pastime, it enabled us to fill up a couple of hours, at the end of which we were eighteenpence only a loser, and once during the time had stood a clear winner of two-and-sixpence, or its equivalent. Let opium-smoking and the gambling be repressed by all means, if possible, always remembering that Great Britain itself sustains the opium business and went to war with China to force the East Indian grown drug upon its markets. Gambling is in human nature, and will probably only cease with the Chinese when it does so with other nations, and not before.

It is well that this one-third of the whole human race, for such are the Chinese in numbers, should be, as they are, a peaceful, peace-loving people. In the future, when nations and cities know how to utilise them as the American laundresses do, the Chinaman will be as useful to Europeans as are sheep or horses—a good servant, an industrious workman, a temperate man and an easily satisfied one—one also who has, in his national character, no “fight” in him. As with the Hindoos, his religion and his training have been against the development of pugnacity. He is deserving of our sympathy also, as his dispersion about the world has been of England’s causing. The resources of China had been for centuries subject to the utmost strain to provide for its hundreds of millions. War, with its desolation, destruction and confusion, was the straw that broke the camel’s

back. As pestilence succeeds floods and plague follows upon battle-field leavings, so the several successive British wars with China have been followed by an internal rebellion—a civil war much like that which ensued within Paris when the Germans had raised their siege of the city. This, the Taeping rebellion, has aided the effect of the wars and unhinged and thrown out of gear that minute machinery of government by which China had held together all its people and thriven for thousands of years. The huge collection of working ants were not all got back to the ant-hill—the great hive of stingless bees began to scatter themselves about and did not all “swarm” again as of time past.

The clime of Northern Australia, and that of Queensland, is inimical to the white man's labour, but kindly to the olive-skinned Mongolian. That vast territory has the climate of Netherlands India, and the Chinaman should be encouraged by the British there as he has been by the Dutch in Java. The coast from Palmerston downwards to Rockhampton, shows tropical vegetation, and the want of such as the Chinaman for its labourers. His aid would be there much as the African's has been to Southern America. The importation of South Sea Island labour having proved a failure in Queensland, there is the greater reason to encourage the Chinese to seek for work in a vast, undeveloped country, where they are so much needed. Those that come to dig should be encouraged to stay and to labour at those avocations for which in China they have been accustomed to receive a fourth only of what their Australian labour will produce. The Chinaman learns any kind of labour so rapidly that those of the shepherd and the shearer would by him be soon acquired.

The wealth of China is not apparent at once to those who visit its towns, nor is such likely to be the case where as many as seven hundred people have been counted to a square mile. The resources of the vast land are in the industry of its people, in their patient and persistent labour. In other less peopled lands we all know what powerful levers such qualities would prove in helping their owners, and thereby helping others, for a good citizen cannot but do good to the community. As a cheap labourer, an industrious artisan, a money-making dealer, and a wealth-accumulating man, the Chinaman has found his limit. At a certain point in all things he has always, by the law of his nature, come to a stop. He has no inventiveness whatever! The reason thereof is, perhaps, that invention, as we see by the Americans, is developed for the saving

of labour—a need never felt in China. Such is a good instance of the Darwinian law of development—of cause and effect—and of the need producing that which meets it.

Efforts at expelling the Chinaman were begun years back in California, when his dangerous efficiency as a workman became daily better seen. Such efforts have done nothing as yet but help to election cries. Demagogues on the platform have used them, and lately they have been heard even in the pulpit. Only recently, a clergyman seeking to fill the holy office of city mayor, promised from the pulpit, that if elected, he “would send away the Chinese.” Such promise was of a piece of his sending his rival, as he did in words, to the infernal regions, and about as equally practical to carry out. Queensland made lately some similar movements in so foolishly excluding the labourers who will help to develop her large territorial resources. In Sydney, lately, the movement against the Chinaman took a practical shape in the endeavour to exclude him from that employment on board of steamers in which I had often seen him so efficient. All such endeavours to repress a free choice of labour can have but one result in the end. Any trouble the Chinese may cause should be lightly borne by those of British connection, considering that Great Britain’s wars have been the primary cause of Chinese emigration. With the peaceful people of China, such wars were promoted solely to assist British commerce. The Chinese resistance in 1840, to the landing of the chests of opium that then caused the first war, was but as the resistance of the Americans in the matter of the tea chests at Boston in the latter part of last century. The Chinese united family having been so broken up, her sons will now spread about the world, and will, in time, be found in all parts where money can be earned by art and industry, and cheap labour is wanted—that is to say everywhere.

To the employers of labour the Chinaman will be found the best of raw material. He will likely settle the labour question and that of strikes in the days to come. We see in London how much foreign labour is sought after, how Swiss, Italian, and French servants are employed in hotels and restaurants, because that British substitutes are not to be got. We would find ourselves as well served by one foreigner as another, and the broken English of the Chinaman would be comprehensible to us as any other. Our object has been to draw attention to the use that may likely be made of the Chinaman. He is settling amongst us, and eating quite quietly into various of our industries. The “garden licenses” under our land regulations

appear to be monopolised by him. He is the fish provider for our suburbs, our vegetable provider, and the pedlar that most troubles our street door. Not being encouraged to come here, he does not bring his wife with him, and not likely. Finding the land a payable one to stay in, it is evident that he here marries from the British population. What kind of a hybrid the cross between Mongolian and Hibernian blood will produce has yet to be seen. It would seem to promise something good in the way of a new race, but the Chinaman had better be encouraged to bring a wife of his own nation. He would then consider himself as a guest and not as an interloper, and being so to speak in society, would not be guilty of those offences against it we now and again find him accused of. Made pariahs of, the Chinese behave as such when they misbehave at all. Legislation might be usefully directed to improving Australia in some matters for so useful an addition to our population. As they will come amongst us, their doings cannot be too early considered, and to that end have been our few notes on the subject. Our remarks are mainly those which have already in other shape been enunciated by us in various chapters on Chinese travels. In this remodelled form, they are reproduced as being matter, in our humble opinion, deserving of public attention.

JAMES HINGSTON.

THE VICTORIAN TARIFF.

THE battle of Free Trade, now being fought over again in England, can only, I would hope, result in the eventual triumph of those principles which she has so long consistently maintained, since the struggle with which the names of Cobden, Bright, and a host of intellectual champions scarcely less worthy of notice, are imperishably connected. Yet Protectionist heresies, though pronounced, on good grounds, "incapable of coherent expression," find numerous defenders. They have a peculiar attraction for the wage-earning classes everywhere—and are especially rife, and have been carried to their most logical consequences in some, at any rate, among the chief of England's colonies—by men who might have been supposed capable of thoroughly comprehending the principles of Free Trade, and who could have had no prejudices or interests allied to the old but abandoned economical faith of the mother country. The present Victorian tariff, with some peculiarities of its own, is nevertheless the legitimate result of the movement which commenced here fourteen years ago, and which, like "the young disease that must subdue at length," unless it be cured, the progress and industry of the colony, has "grown with our growth, and strengthened with our strength." The authors of that movement are still amongst us—for the most part they are horrified at the consequences of their work—some of them, at any rate, denounce our present tariff not less strongly than those who unavailingly opposed the first beginnings of mischief, and are sincere in their protestations that they are free from the responsibility of such a system. Yet it was their misfortune, if not their fault, that they conceived themselves bound to make concessions to a popular fancy at that time somewhat vaguely and mistily developed, but which has since assumed very solid and alarming proportions. Like the fisherman in the Arabian Nights, they opened the casket, released the imprisoned Genie, and would gladly now persuade him to return to his original prison. It is not, however, for the purpose of taunting

old foes that I allude to these historical proceedings, but rather to point out (if I may hope to attract the attention of Free-traders elsewhere) how gradual and insidious are the attacks to which they have been, and are likely to be subjected, and the danger of which they appear to me somewhat to underestimate.

The Victorian tariff, first formulated in 1853, in the height of our gold-digging prosperity, had continued until 1865, with only few alterations, and those not affecting in any way the principle on which it was founded. The subjoined table, as it was originally settled, will show how few were the articles subject to duty, though I regret that the voluminous nature of the latest Ministerial proposals prevents my putting them in the present article by way of comparison:—

Ale, Porter, Cider and Perry	6d. per gal.
Cigars	3s. per lb.
Coffee and Chicory	2d. „
Molasses and Treacle	3s. per cwt.
Spirits (per proof gallon)	10s.
Do. perfumed (do.)	10s.
Sugar—raw and refined... ..	6s.
Tea... ..	6d. per lb.
Tobacco and Snuff	2s. „
Wine	2s. per gal.

All other goods free.

Thus constructed, the system had fairly answered three, at any rate, of the canons laid down by Adam Smith. It was certain, and not arbitrary; it was easily and conveniently collected, and the net result to the Treasury was undoubtedly satisfactory. Adopted strictly for revenue purposes, it had proved sufficient for our wants, though it must be admitted that our Ministers unfortunately had a ready means, which they constantly employed, of making up any deficiency which appeared likely to occur, by the sale of Crown lands, and our Customs revenue, therefore, could not be said actually to perform all that might fairly have been required from it. Moreover, the gradual settlement of the country, the making of railways and roads, and the establishment of inland village communities, had greatly increased the value of freehold estates in the country, and rendered it desirable that some portion of the large expenditure thus incurred should be borne by their owners. Some change in the incidence of taxation might thus have been felt to be only reasonable, and all parties would probably have consented to it, but those who believed and cherished the Free-trade principles which they had brought with them from the mother country were no

prepared for the announcement made by the Ministry of the day. The Treasurer, Mr. Verdon, in bringing forward the budget of 1865, whilst taking credit for the equalisation of income with expenditure, and admitting that the country "could say what it willed in this matter, without being coerced into any course by the state of the public finances arising from the circumstances of former years," proposed to make grave alterations in the method of raising taxation; creating, in fact, a deficit by a reduction of the duties on tea and sugar, he proposed to supply their place by impositions "on articles which competed with our own productions, rather than those which did not." The step was very cautiously taken; it amounted to nothing more than that "incidental protection" which still continues so dear to many who will not follow out the policy to its legitimate consequences, yet the decision of the country in favour of the Ministry virtually settled the question, and involved all the lamentable errors of subsequent years. With the Constitutional disputes then aroused, and still unsettled, the present narrative is not concerned, except in so far as they assisted the Ministerial triumph. Undoubtedly a large share in that triumph was due to the class feeling stirred up against the Legislative Council, and the fervid eloquence of the then Attorney-General, the best orator that Victoria has produced; yet, beyond all this, freetraders were surprised and discomfited at the strength of Protectionist prejudice, developed, not only among suburban artisans and tradesmen, but even among the miners, who, digging out of the ground the raw material of coin, would scarcely be supposed likely to desire that its purchasing power should be diminished. It is probable that their attitude was partly due to that preference for the visible effect which Bastiat points out as the distinguishing mark of bad economists, "the pursuit of a small present good, to be followed by a great evil to come," the belief that a general rise in wages would be produced by the establishment of various manufactures. This, however, was not all. There was, in addition to this feeling, a sincere, and I may almost say a disinterested desire to see their children brought up to less toilsome and monotonous occupations than their own, to educate, as was said, the youth of the colony in industrial avocations, and thus to contribute, as they imagined, to their social and intellectual elevation.

And here, I may lament the pernicious effect of one, as I venture to think, erroneous concession by a great philosopher. I allude, of

course, to John Stuart Mill's famous "exception." The Free-traders, in the course of their arguments (and I fear these were, in many instances, rather over the heads of the people), naturally put forward the lucid statements of that celebrated English economist, and unfortunately, in so doing, supplied their opponents with the only reference they have been able safely to make to a reliable authority. Mill's exception was given out on every platform, and paraded in every Protectionist harangue. Men who had never cut another leaf of his book quoted this passage as glibly as if they had studied every word of his works. It was of no avail that the Free-trade party referred to scores of other passages; or that the illustrious author himself, on being appealed to, endeavoured to explain away his concession—the exception was held to be, if not expressly designed, at any rate thoroughly fitted for Victoria, and the case for Protection to be fully established. Yet a perusal of that doctrine will exhibit, to even the most prejudiced reader, the vast difference between the carefully guarded utterances of the writer, and the pernicious absurdities which those utterances have been alleged to cover and excuse, and I may, therefore, be allowed to quote it here. "The only case," he says, "in which, on mere principles of political economy, protecting duties can be defensible, is, when they are imposed *temporarily*, especially in a young rising nation, in hopes of naturalising a foreign industry, *in itself* perfectly suitable to the circumstances of the country. . . . A protecting duty, *continued for a reasonable time*, will sometimes be the least inconvenient mode in which the nation can tax itself for the support of such an experiment. But the protection should be confined to cases in which there is good ground of assurance that the industry which it fosters will, after a time, be able to dispense with it. *Nor should the domestic producers ever be allowed to expect that it will be continued to them beyond the time necessary for a fair trial of what they are capable of accomplishing.*"

How has this advice been followed in Victoria? What constitutes a fair trial? Would ten years? fifteen years? twenty years suffice? There is not less difference between the notions of Mill and our Victorian Protectionists on this point, than was exhibited between Bob Acres and Sir Lucius O'Trigger as to "a pretty gentleman's distance" in a duel. "I should think," says Acres, "forty or thirty-eight yards." "Pooh! nonsense," retorts the Irishman, "three or four feet between the mouths of your pistols is as good as a mile."

I have said that the contest of 1865 virtually settled the question of a Protective policy, yet it must not be supposed that the taxes then imposed were anything more than tentative. The Treasurer described his system as "not touching raw materials, and avoiding to a great extent the tools of trade, and the machinery which contributed to the produce of the colony," and rested his case for alteration somewhat on the advisability of varying the articles of taxation, as well as on the encouragement of native industry. It was reserved for another ministry, half-a-dozen years later, to take a further downward step, and to cast an air of absurdity over our financial system, which the present tariff has, I may say, developed into absolutely unapproachable perfection.

In 1871, our present Chief Secretary, then Treasurer in the Administration of Mr.—now Sir Charles—Gavan Duffy, assumed the task of materially altering the Customs duties in a Protectionist direction; oddly enough, however, putting his scheme forward as a sort of treaty (in his own mind only) between Free-traders and Protectionists. *Ad valorem* duties were raised from five to ten, and from ten to twenty per cent.; numerous items were added to the list and a total increase was made to the Customs revenue of £200,000. Few articles indeed, in certain trades, escaped; the varied stock of the softgoods warehouses, and the whole contents of ironmongers' shops, from top to bottom, were drawn into the fiscal net. A distinction, however, was drawn by the Treasurer, still strictly conceived from a Protectionist point of view, between, to use his own words, "manufactures which were in a forward state for actual use, and manufactures upon which a fresh amount of human labour would have to be expended,"—the former paying twenty, the latter ten per cent. duty—the assignment of special articles to one or the other category being, as might be supposed, a task of some difficulty, and leading to some unexpected results. The question of raw materials presented, however, as it always has done, an insuperable obstacle to the attainment of the object sought by Protectionist legislation. What is raw material? Each tradesman defines the term to comprise all the materials used in the manufacture over which he presides, and is naturally indignant if these are burdened with any impost by the State; whilst his neighbour, just as hard at work, clamours loudly that he shall have the exclusive right, or, at any rate, a preference in the supply of these very articles. Instances are numerous, yet one excited special attention, and may be quoted here as an instance of the absurdity

to which the principle may be carried. The industry of cork-cutting had found such favour with the State, that a heavy duty had been placed on the imported article, which, again, was part of the "raw material" of the bottling trades, themselves protected, who alleged not only that the cork-cutting trade was not worth protecting, and employed merely an infinitesimal quantity of labour, but that the spirited proprietor of the establishment was so thoroughly protectionist as only to make use of Victorian, that is, second-hand corks. Accordingly, it is said, they waited on the Treasurer, and, with the view of not disturbing the happy possessor of this nascent enterprise in the profit he enjoyed from his occupation, undertook to pension the cork-cutter, if the Treasurer would remove the duty. The proposition, if made, was, I have no doubt, indignantly rejected by that sincere but infatuated gentleman, and Protection was still secured to the one industry at the cost of the other.

"Protection all round" is a cry much in favour with many working people, who feel the injustice of the system as applied to specially favoured occupations, and the notion has been formulated with all gravity by a certain French writer—M. Alby—who is embalmed in the work of Professor Cairnes, entitled "Some Leading Principles of Political Economy." M. Alby says that the apparent triumph which Freetraders commonly gain over their opponents arises from the imperfect way in which the Protectionists' case is put. Freetraders attack the system in detail, joining issue on each particular duty, whereas the strength of the Protectionists' case lies in its completeness as a whole. "The area of apparent injustice will be continually narrowing with each new industry that we take account of, till we end by finding ourselves in presence of a series of people paying for what they purchase, but making others pay dearer for what they themselves sell. They have no ground for mutual reproach." Strange, indeed, as Professor Cairnes exclaims, that such speculations should find acceptance in the country of Say and Bastiat! For Protection, if really effective, necessarily implies production carried on under more onerous conditions. On the supposition, therefore, that this system were feasible (which Professor Cairnes points out is not the case), the practical result would be an increase in the cost—not in the sense merely of money outlay, but of actual difficulty—and equality and justice would only be realised, just as they might be by compelling every one to move about with a weight attached to his leg.—Are not the remarks which I have here summarised truly applicable to

the case of this colony? Are we not pretty nearly all feeling the weight, and a heavy weight too?

Such was the wild and foolish legislation to which the colony was committed, without the possibility of successful resistance by Free-traders (branded by the curious title of "importing monopolists"), or moderate Protectionists, whose "incidental" theories deprived them of any logical stand-point. The Ministry which succeeded Sir Charles Duffy unhappily postponed their plans for alteration until too late; but a great and almost successful attempt was made by Mr. Service, in 1875, to turn back the current, and to alter the tariff in a free-trade direction. His scheme, had it been carried out, might have saved the country a good deal of trouble, political as well as financial, and would have relieved trade to an extent which it is difficult in our present situation even to remember without regret. The circumstances which led to the abandonment of Mr. Service's tariff, and the events which followed, up to the accession of the present Ministry to power in May, 1877, are well known, and need not be repeated here. I may quote, however, before leaving the subject, Mr. Service's intentions in bringing forward his resolutions, on 15th July, 1875, taken from his own words:—

First. To reduce and, where possible, excise, duties on articles of consumption among the poorer classes.

Second. To lighten, or abolish, taxes which pressed heavily on important branches of colonial industry.

Third. To relieve trade, as far as possible, from unnecessary trammels.

Fourth. To abolish a host of trifling duties which served no purpose, and brought in little revenue.

How bitter a sarcasm do these words appear on the present propositions of the Ministry! To heap oppressive burdens on articles of general consumption; to hamper even protected industries by duties on the articles used in their manufacture; to surround trade, intercolonial and foreign, with such trammels and difficulties as to render its increase impossible and its maintenance improbable, and to fill the tariff-book with every conceivable kind of irritating and useless impost,—such may unhesitatingly be pronounced to be the results, if not the objects, of the Ministerial measure. With active rivals on our borders, with every necessity for stimulating trade and gathering customers for our manufactures, already half stifled by want of large markets, we are deliberately engaged in

destroying or impeding any friendly relations between our neighbours and ourselves, in forcing our customers to go elsewhere, and in neutralising the advantages which the climate and position of Victoria, aided by the superior energy of her people, had secured for her.

The leading feature in the present tariff has been announced to be an "extension of our great Protectionist system," and this result is achieved by what we may term a system of counterbalancing burdens. It is said here that a Chinaman whom we may see trotting about with vegetables is only able to carry the heavy load put upon him by the fact that it is doubled, one basket behind and another in front of him, and that without the pair he could not support one. Some dim perception of this principle appears to have got into the mind of our Treasurer, as anyone will understand who has listened to the tariff discussion of late. Yet it must be admitted that there is a limit to the process, that there is a point at which, however admirable be the balance, the Chinaman will give way; and it might, further, have occurred to him and his colleagues that the consumer was worthy of some consideration as well as the producer, however such a theory might interfere with the logical development of Protectionist doctrines.

No such misgivings have disturbed their onward course. Was objection made to the duty on barley on the ground that it was used in a domestic manufacture? An increased tax was placed on the import of the manufactured article. Was it pointed out that the duty on axles would press heavily on the protected coachmakers, and that a small trade would be encouraged at the expense of a large one? The coachmakers were assured they could have an extra duty on imported carriages if they desired. Nothing has been too small, nothing too useless, to be styled a manufacture, and one somewhat excited discussion has taken place on the momentous question of whether "calf, kid, patent, and coloured fancy leathers" should be admitted free or subjected to duty, owing to the rival claims of two protected trades. One example—out of many which are available—may be quoted as an illustration of the extent to which this system may be carried—this patting on the back any domestic process, I cannot call it manufacture. Among the numerous articles imported by warehousemen, and subjected to crushing imposts, umbrellas and parasols are prominent, especially the cheaper kinds, on which the duty lately proposed amounts to about 150 per cent. on the prime cost. This however is not done for revenue purposes,

but in support of the great principle of Protection—and accordingly we have a favoured individual at present reigning almost alone in his special department, for whose benefit every purchaser of a cheap umbrella or parasol is to be mulcted. Yet the umbrella maker, if he be a Protectionist, carries out the doctrine of “free raw materials” with a vengeance. He imports, I am told, the sticks, the ribs, the ferules, the silk, the thread, and the elastic bands—and only manufactures the rest of the umbrella, whatever that may be—that is, I understand, he causes these materials to be fastened or sewn together—and this becomes a colonial industry. Small blame to him, under these Protectionist regulations, if he seeks to get a share of the profits which are going, for himself; yet it may be questioned whether, to the mind of a Minister who really wishes to discriminate, such a work can present itself as worthy of a great sacrifice on the part of the public.

It must not be supposed, however, that the extension of the great Protectionist principle is the only object sought to be attained by the present tariff. It can be made, it appears, to serve those class animosities which the present Ministry have so diligently stirred up. Squatters, and, in fact, all persons who commit the crime of keeping sheep, are the especial objects of Ministerial animosity; and for this reason—I can find no other—when cornsacks were relieved from any increase of duty, woolpacks were subjected to an impost of 7s. in place of 3s. per dozen. Yet surely it must be known that most selectors keep sheep if possible, and that fellmongering is an occupation carried on with very great industry, care and knowledge, employing much labour, subjected to very severe competition, and not certainly at present extravagantly remunerated. An intelligent member of this class, doing a large business, tells me that the duties on woolpacks, hessians and twine make up to his firm a cost of £200 per annum, which he must deduct from his wage-earning employés. Or take the duty on rice, which it has been proposed shall be doubled. The remarks of the *Bendigo Independent*, an ably written journal on the Ministerial side, put the case plainly, as an attack on the Chinese, who appear, as the writer observes, “to be fair game for everyone.” But rice cannot be regarded as a luxury, for it is a necessity, and consumed generally by all classes of the community in one form or another. “The Chinese are a nuisance, we will allow, for the sake of argument; also that they are immoral, dirty, lazy, and indeed everything that the most rabid Chinaphobist would give utterance to. But

they are human beings, and, as long as they dwell in an English community, entitled to exactly the same privileges as any other foreigner. We would be much pleased if John could transform himself into a European, but he cannot, and it is not his fault. Probably he is just as happy as he is; but if he is to be taxed twice as heavily in the future on his main—almost only article of diet—it means semi-starvation for a number of his race. . . . Under the new rates, rice will be taxed at £6 15s. per ton, and the article in bond is only worth £10 10s. The duty, therefore, in proportion to the value, is very heavy indeed. At twenty per cent. they pay £3 7s. 6d. per ton, which, one would think, is high enough. Yet this is not the only phase of the question, for the Chinese merchants, who should be in a position to speak with authority, state that fully one half of the rice imported is consumed by Europeans. Hence, we are ourselves in danger of being affected, and can, therefore sympathise with the Chinese.” Nor is the Chinaman alone interested; every mother of a family has a right to complain of the increased taxation on an article of domestic consumption, which is (as the paper from which I have quoted, points out) not a luxury, but a necessity, and, in such a climate as that of Victoria, a most nutritious and wholesome article of diet. Or consider again that early effort of Ministerial genius, the stock tax—to say nothing of the financial aspect of the question, and the throttling of at least one great industry—what an act of hostility to our neighbours is here perpetrated. How can we hope to achieve that Australian federation which would make us a great and united English community, whilst we are treating New South Wales as if she were an armed enemy, whilst we maintain a hostile cordon of Custom House officials along the banks of the Murray? Why, our rulers will not permit a man even to move his well-worn household furniture from Albury to Wodonga unless he pays a tax of twenty-five per cent. on its original cost, for I cannot even discover that anything is allowed for depreciation by wear and tear: the celebrated “old armchair” of the poetess is to be treated with a commercial penalty, just as if it were a brand-new London settee. Meanwhile, on the necessities and comforts of the great producing interests, the mining and agricultural communities, burdens have been heaped with a reckless indifference which almost passes belief. These great classes, it is well known, cannot be protected; the former from the very nature of their product, the latter from the fact that they can produce cheaper than

anyone can import; yet they have hitherto, for the sake of what they regarded as the public good, borne in silence an always increasing load, since, as might be expected, the clamour of the towns has exercised that influence on successive Ministries which Burke has so plainly deprecated in his famous "Thoughts on Scarcity."—At length, however, it would appear, the proverbial last straw has, if not broken the back, at any rate aroused the resistance of one of those important sections of the population, who have hitherto exhibited the patience of that much abused animal to which certainly I have otherwise no intention of comparing them, unless it be for the folly with which they have hitherto allowed themselves to be defrauded of the results of their honest labour. The "fortunate husbandmen" are no longer silent, and it may fairly be presumed that their example will be followed by their mining brethren in misfortune. And as each class and each interest begins to clamour for the reduction of their special burdens, they will form gradually, but surely, an irresistible force in favour of the removal of all unnecessary and iniquitous taxation. It will be discovered how small are the classes which are really reaping advantage, how much even their profits are affected by counterbalancing imposts, as well as by the enhanced cost of living, how impossible it is for any set of men, such as any Legislative Assembly would probably comprise, to decide what occupations should receive reward, and what others should receive discouragement; how, in fact, the only safe course for the Legislature to pursue, is to "let people alone." Then the time will come to the Victorian community, as has been said of the people of the United States, when "they will wake, as it were, from a dream, and ask who it was that persuaded them that the way to be rich was for everybody to give as much as possible for everything."

The present Government have much for which they must answer—they have wrought infinite mischief, and done many things, for which, when the time comes for their departure from the Treasury benches, they will be bitterly remembered by the impoverished people of Victoria. Prominent among these memories, I may safely predict, will be that of the tariff of 1879—a conspicuous monument of their deficiency in the two principles which, says the great French economist, alone can save a nation—justice and knowledge.

R. MURRAY SMITH.

THE SQUATTING LEASES.

THE year 1880 cannot be otherwise than an eventful one in the history of this colony. It will follow two years of unexampled depression in every branch of industry—two years of great political excitement, during which men's minds have been wrought to a pitch of angry excitement, hardly exceeded in intensity and bitterness by the acerbity of feeling exhibited in the United States during the late civil war—two years of suffering anxiety and apprehension—two years of trial and adversity, which have imposed a severe strain upon our resources, and have taxed to the utmost the hopeful confidence of all thoughtful minds in the future progress and prosperity of the colony. To what extent our calamities have been occasioned, or intensified, by the political events of the period, is a point upon which we shall refrain from offering an opinion. We are content to state the fact, leaving the cause uninvestigated; and to deduce from it an argument in favour of the people of this colony exercising their suffrages at the next general election, with a degree of forethought, circumspection, judgment, and deliberation commensurate with the gravity of the situation, and the magnitude of the questions which will have to be settled by the next Parliament. The more important of these are seven in number, to wit:—

1. Reform of the Constitution.
2. A thorough revision of our system of taxation.
3. Retrenchment of the public expenditure.
4. Decentralisation; by an extension of the principles of self-government.
5. The establishment of a comprehensive system of water storage, in connection with agriculture and grazing.
6. The transference of all official patronage from the Government of the day to an independent board, as in England.
7. The settlement of the terms and conditions upon which the pastoral lands of the colony shall be leased for the time to come.

We propose, for the present, to confine our remarks to the last-named subject. It is one of pressing importance; and our legislation upon it, in the near future, besides being an imperative necessity, owing to the expiration of the existing leases next year, will be watched with great interest at home and abroad, because if that legislation should be characterised by anything resembling unwisdom, injustice, passion, class-prejudices, or ignorance, the result will be disastrous, not merely to the pastoral tenants themselves, but to the financial institutions of the country, to the commercial classes, and to the community generally.

We presume that no rational person will dispute that the Government of a colony possessing a large landed estate, stands in precisely the same relation towards the people, of whom it is the fiduciary agent, as the steward of a great landowner does towards his employer. His duty it is to administer the property so as to secure the maximum of returns from it; and, in so doing, he must make the farms of such an area, fix their rental at such an amount, and define the conditions of tenure so carefully as to place the tenants in a position to cultivate them profitably; because upon their prosperity must depend the security and stability of the landlord's income. Rent, according to the latest and simplest definition of it, is "the consideration paid for the loan of land, the price stipulated for the lending of a particular machine." That price is determined to a very great extent—in ordinary cases, at least—by the tenant's calculation of his ability to obtain from the produce of the land an adequate remuneration for his skill and labour, and a fair return upon the amount of capital which he employs in cultivating it. In fact, reduced to its simplest elements, rent is a certain proportion of the yield of the soil, which is assigned to the landlord in consideration for the loan of it to the borrower. In this colony, where the State is the landlord of some millions of acres, which can only be made to yield a revenue by leasing them in large areas for pastoral purposes, as at present, the annual rent of such areas must be fixed, not according to an arbitrary standard determined by the Executive, but in accordance with the grazing capabilities of each station—the character of the country, whether suitable for breeding only, or for breeding combined with fattening—expenses of carriage to market, distance from market, facilities for water, liability to dry seasons or selection—and last, not least, whether healthy for stock. It will be obvious that each and all of these considerations must materially influence the question of rental, and yet under the present system

each and all are assessed at 1s. per sheep and 5s. for each head of cattle. This is greatly in excess of the rate of assessment levied in the adjoining colony of New South Wales, more especially taking into consideration the enormous extent of territory available, and the vastly superior grazing capabilities of the Crown lands across the Murray, their comparative freedom from interference by selection, and the facilities which are given to lessees to secure their improvements, and buy necessary portions of their stations. Yet the rents in New South Wales are fixed by careful valuations made by competent practical men appointed by the Government, who arrive at their decisions after personal inspection and inquiry, and who, on application of the lessees, readjust the rentals from time to time, if reductions are applied for in consideration of the diminution of area of the Crown lands through the operation of purchase or selection, or from other causes.

Compare this system with that which prevails in Victoria, where every station is assessed at uniform rates, irrespective of its advantages or disadvantages. In this colony, a sheep-station subject to fluke, worms, and almost every disease with which sheep can be affected, is assessed at the same rates of rental as a station where the country is sound, where the sheep yield fleeces of good wool, and where the increase admits of a fair proportion of surplus stock being sold each year. These latter stations, too, can be managed much more economically than those in the hills. There is no outlay for salt, which presses very heavily on the holders of mountain runs, and which is an absolute necessity in many cases. Without it the sheep would rapidly decrease in numbers, and eventually probably die off altogether. Again, few of the mountain stations have any annual increase to sell, the losses by disease and dogs being so great that the lambing barely suffices to maintain the numbers—indeed, in some cases it does not do so—and the owners have to purchase sheep each season in order to supply the deficiencies caused by deaths. Is it reasonable that an uniform rate should prevail under these conditions? If sound healthy stations are assessed at 1s. per sheep, it is obvious that those subject to the unfavourable influences above enumerated should pay much less—indeed, some of them would be dear at 2d. per sheep. The assessment on cattle is also far too high, as almost the only Crown lands now available for them consist of rough, rangy, thickly-timbered forest country, where they cannot possibly develop into animals suitable for the butcher.

And this brings us to the question of area. The "Report of the Crown Lands Commission of Inquiry on both the Agricultural and Pastoral Occupation of the Public Lands, to be instituted on the Expiration of the present Land Act, at the close of 1880," recommends that the pastoral lands of the colony should be "parcelled out in comparatively small holdings, let on grazing right to enterprising settlers, upon certain conditions of improvement and at an adequate rent." From one to ten thousand acres are elsewhere indicated as a suitable limit for such squattages. Now, if an arrangement of this kind were calculated to accomplish the object professedly aimed at, namely, that of "peopling the pastoral lands, which are now a solitude, with a productive population;" and if we believed it capable of promoting the welfare of the agricultural class, and the prosperity of the community, it should receive our strenuous support. But no one who knows anything of the average quality of the pastoral lands of the colony, that is to say, of those which still remain in the possession of the Crown, who is familiar with the vicissitudes of the seasons, and with the fluctuations in the price of wool, can look favourably on such a proposition, fraught as it is with monstrous injustice to a most deserving and enterprising class of colonists,—who would thus be evicted from their holdings—their improvements confiscated—their stock sacrificed,—and themselves and their families turned out on the world, probably in a state of penury, as it is notorious that taken as a class they are almost all, more or less, involved, and that their stock is heavily mortgaged; indeed, in most cases, to more than its value, if taken apart from the security of their pastoral licenses.

These men have fenced in and subdivided their stations into paddocks, erected houses, woolsheds, and all the usual necessary buildings—for utilising their runs to the best advantage; they have excavated large tanks—thus providing water for stock in country which otherwise would have remained a desert,—in short, they have opened up the colony, and paved the way for its settlement for agricultural purposes. And we must not forget that their tenancy is a most favourable one for their landlord—the depasturing of their stock improves and thickens the grass and herbage,—and they are thus daily adding to the value of the public estate, in addition to paying excessively high rentals for it. They are in fact simply beneficial stewards for their landlord,—and he has the privilege of resuming any portion of their holdings through the operation of indiscriminate and unconditional selection in blocks up

to 320 acres in extent, at any time when the operation of settlement may induce farmers to occupy it.

Remit the question for decision to a body of disinterested and impartial experts, and we are confident that they would unanimously pronounce the scheme of subdivision to be one fraught with disaster to the men who might be allured into leasing areas upon which it would be impossible to graze sheep or cattle with profit in the most favourable seasons, and quite impossible for them to subsist at all in ordinary years. Nothing is more illusory or deceptive than the popular notion concerning squatting as a permanently remunerative pursuit. It is one in which large gains are occasionally made, but in which terrible losses are also experienced. Of the former, as a lucky *coup* at the card table or on the turf, we are apt to hear a good deal. Successful men naturally attract a good deal of attention. Those who have been ruined by squatting drop into obscurity, and make no proclamation of their griefs. A man may be fortunate enough to buy a sheep run or a cattle station for a comparatively insignificant sum in the last year of a cycle of droughty seasons. A cycle of favourable years may supervene, and a great continental war, by leading to an immense consumption and destruction of woollen fabrics, may cause the market for the raw material to rise steadily for three or four years. Fortune flows in upon the lucky run-owner, and his large gains are matter of common talk and common envy. But this sort of prosperity is abnormal and fitful, and is no more to be accepted as a test of the generally lucrative condition of the pastoral interest than the opulence of a few rich quartz-reefers at Sandhurst or Stawell is to be taken as a gauge of the welfare of the great mass of the gold-miners of this colony. The success of Mr. Watson, or Mr. Lansell, or Mr. Lamont, is something tangible and visible enough; but of the millions of money which have been irretrievably lost in mining ventures by the people of Melbourne scarcely anything is ever said. Failure is so often associated with folly that people who have "burnt their fingers" in speculations of this kind do not, like Dogberry, make it their boast that they "have had losses."

To the belief, however, that squatting is an exceptionally profitable business, and that these profits are extracted, by some mysterious process, from the pockets of "the people," a phrase usually meaning one section only of the community, may be attributed the popular prejudice against the squatters as a class, and

the popular belief that the destruction of the pastoral interest is a desirable object. And prejudice is a powerful factor of public policy in all democratic societies. Sometimes springing from ignorance, not unfrequently animated by passion, and too often exploited, for selfish ends, by trading politicians, it is capable of exercising a most sinister influence upon affairs of state; and it is nowhere more potent, perhaps, as a motive power in politics than in this colony. If any grade or class is singled out for special taxation, the newspapers of the dominant party are instructed, by way of preliminary, to excite popular prejudice against it. It is, unfortunately, one of the most deeply-seated propensities of the human mind, to accept with an eager belief all manner of evil reports concerning our neighbours; and more especially respecting superiorities of any kind. Hence the widely-spread prevalence of scandal. And hence, also, the avidity with which people seize upon and repeat such depreciatory phrases as "a shoddy aristocracy," "the wealthy lower orders," and similar epithets, so freely applied to people who have been the architects of their own fortunes, and whose chief offence is that they have risen in the world by their own industry and prudence.

The proposition to cut up such squattages as remain into small runs, seems to have originated in the prejudices which are entertained against the present pastoral tenants of the Crown. Otherwise it is inexplicable. For, as we have said, no one who is practically acquainted with this branch of industry, with the nature of the country, and the character of the seasons, will venture to assert the possibility of small areas paying their occupants. From a political, a social, and an economic point of view, we should be glad to believe it possible. Our hope for the future of this colony lies in the identification of the largest practicable proportion of its population with the soil, either as owners of the fee-simple or as lessees of its pastoral areas, with security of tenure. As a matter of sentiment, our sympathies are with the recommendation of the Commission. As a question of fact, our conviction is that, if it were carried out, it would be most calamitous in operation, not alone for the tenants who would be dispossessed, but for the more numerous class of graziers by whom they would be superseded. If two consecutive bad years have been productive of so much poverty and suffering to the free-selectors, that many of them have been reduced to a state of starvation; what would be the condition of the small squatter—supposing him to have succeeded in procuring a flock of sheep or a herd

of cattle, on credit—after a single year of drought, on a limited area, without the requisite improvements for working it, with, probably, no access to permanent water, no natural facilities for a dam or reservoir, and no means of constructing it, even where the natural contour of his holding encouraged its formation? Imagine the desperate position of such a man, at the end of a few months, when nothing would remain of the flock or herd, upon which all his expectations were built, but their bones bleaching in the fierce glare of the sun, while the hot wind would sweep into a cloud of dust the dead roots of his desiccated pastures! No one who reflects seriously upon the question of the future of the pastoral holdings in this colony, can arrive at any other conclusion, we submit, than that they must continue to be sufficiently large to justify the expenditure upon them of capital in the way of permanent improvements—where these have not been already effected—and to hold out a reasonable prospect of a remunerative return; and that such areas must, as at present, vary with the nature of the country. Any hard and fast line in this respect is simply impossible of delineation.

Apart from the injustice proposed by the Report to be inflicted upon the present occupants of the pastoral lands, we would ask the Commissioners if, when making their recommendation to subdivide the runs, they took into consideration the enormous expense of the surveys which would be required in order to carry out their proposed scheme, and the time it would take to effect them. Or did they recognise the deplorable result in numerous instances of the present artificial system of allowing men without means or experience to take up tracts of arid or unsuitable land for agricultural purposes,—the evil effects of which policy are only too evident in the absolute distress prevailing amongst a very large proportion of the selectors. They were allowed to take up land on almost nominal terms of payment—only 2s. per annum for ten years being required to obtain the fee simple—and yet they are £315,000 in arrears of rental—this amount representing one year's rent on no less than 3,150,000 acres of land. Hundreds, probably thousands of them, bitterly regret having left remunerative pursuits to follow the "Will-of-a-wisp" phantom of being their own landlords. Yet it is sought to further intensify the evil by having a wholesale scramble for the remaining portion of the public estate. The old story will be repeated—there will be a lavish outlay in making surveys—the present holders will be dispossessed to make room for others, who, after causing widespread ruin amongst the pastoral

tenants, appropriating their holdings, and forcing them to sacrifice their stock, will, when they find that their new pursuits cannot be worked to advantage, fall into arrears of rental, and then very probably expect to be relieved from any further payment. They will be in possession, and it is scarcely probable that a popular Government would dare to attempt to resume their leases. The result thus will be that the State will lose the control of the Crown lands, and also the handsome revenue it is deriving from them; a crisis will be caused through the eviction of the present tenants, and the whole community will be further impoverished. This is not a fancy picture—a parallel to it has already been realised in the present condition of a large number of industrious and deserving families, who, if a too liberal Land Act had not been brought forward, would no doubt now have been prosperous members of the community.

According to the appendices to the Report under consideration, there were in the year 1862, 1249 leases held from the Crown, covering an area of 37,023,093 acres, and yielding to the revenue the sum of £208,930 5s. 1d. In 1878, the number of leases had dwindled down to 768, the area had contracted to 19,531,083 acres, and the revenue from this source had fallen to £134,079. Everywhere "the eyes" have been "picked out" of the runs; and of the 20 millions of acres still under lease, by far the larger portion is notoriously either totally useless, or of poor grazing quality. In the Omeo survey district, for example, according to a schedule furnished by Mr. James Stirling, the local land officer, and highly eulogised, for its succinctness of statement and fulness of detail, by the chairman of the Commission, we find it stated that there are 43 runs in that district, which embraces an area of 2,070,292 acres. Some of this land has been selected, some reserved, some sold, altogether about 30,000 acres, and there are only 166,698 acres fit for selection. The extent of country suitable for grazing is put down at 944,000 acres, and of this no less than 902,311 are pronounced to be "inferior grazing land." *Ex uno disce omnes.*

Everywhere throughout the colony, the best land will be found to have passed out of the hands of the Crown; and, in dealing with the residue, the Legislature will best consult the interests of the whole community by avoiding any interference with the present occupants, by exacting not more than fair and reasonable rentals from them, by giving them security of tenure for a further term of at least ten years, by encouraging them to make permanent improve-

ments, and by providing that at the expiration of their leases they shall be paid a fair valuation, either by the Government or by the incoming tenants who may succeed them, for any permanent and substantial improvements that they or their predecessors may have effected, such as buildings and yards, tanks or dams for the conservation of water, and for fences. By adopting this policy, the public estate will be preserved intact, to represent the loans we have contracted, a large rental will be obtained from it, and it will be improved and greatly increased in value each year, until required for more advantageous purposes.

J. S. HORSFALL.

WILL THE ANGLO-AUSTRALIAN RACE
DEGENERATE?

"ALL flesh is grass." This, which was once regarded as a poetical metaphor, is now demonstrated to be a scientific truth. Our bodies are built up to a considerable extent out of the vegetation of the earth, for the animal food we consume is simply so much herbage, grain, or roots transformed into the substance of the quadrupeds we domesticate, or of the *feræ naturæ* we destroy. Upon the quality of the aliments which serve us for subsistence, depends in some measure the strength, healthfulness, and durability of the corporeal fabric we inhabit. But, if we push our investigations a step backwards, we make the discovery that the vegetation of a particular region of the earth is largely affected by its soil, and that this, in its turn, is determined in character by its geological formation. There seems, indeed, to be an exquisite harmony prevailing between the evolution of the crust of the globe and that of all the forms of life which exist, or have existed, on its surface. The latter has proceeded *pari passu* with the former. Each stage of geological development has also witnessed a corresponding development of the organic beings to whom the earth's bosom has yielded inexhaustible sources of nourishment. The researches of the palæontologist show us a progressive gradation of life-forms—a continuous elevation or ascension from simple to complex, from lowly organisms to those which are highly elaborate in structure and wonderfully differentiated in function. This complexity and this differentiation find their highest expression in man, who, although—as the language of inspiration and the science of comparative anatomy combine to assure us—he "hath no preeminence above a beast," is nevertheless the head of the animal creation. And when he had emerged from savagery, and had reached that condition of mental growth which qualified him to receive from his Creator the breath of a higher life, and to "become a living soul," we find him inhabiting a region of which the richness

and variety of its natural productions are extolled by many ancient writers—by Strabo among the rest, who tells us that “the Greeks who occasioned the revolt of Bactria became so powerful by means of the fertility and advantages of the country that they became masters of Ariana and India, according to Apollodorus of Artamita.” There was the seed-plot of the great Indo-European family;* and the fauna and flora of this *gentis cunabula nostræ*, as Dr. Hearn terms it, with Virgilian felicity of epithet, denote it to have belonged to the quaternary period in geology. In other words, the human race † had attained its highest phase of development in that region of the world where the soil also had undergone its latest elaboration at the hands of Nature, a convenient synonym for the Mind of God in visible operation. When the Aryan family commenced its migrations, the Indo-European stream flowed westward in two channels. One of these—conveniently termed by an illustrious German writer the Mediterranean—guided by something resembling a divine instinct, took a south-western course. In so doing it followed the line of the latest geological development, and keeping within the temperate zone, this stream of humanity, wherever it settled and formed a permanent state, defined its position by the construction of splendid civilisation. And where, as in Greece, the conditions of a soil and climate, of scenery and situation, were most favourable, the men and women reached the highest perfection of physical grace and dignity, form, and beauty; and the arts of sculpture, architecture, and painting were cultivated with a success that has never been equalled, much less surpassed; while literature, philosophy, and mental and moral science engaged the attention of men, each one of whom was an intellectual giant, and did

Bestride the narrow world,
Like a Colossus.

But where, as was the case with that branch of the stream which took a northerly direction, the emigrants settled in regions belonging to an earlier period of geological formation, there the race seems to

* C'est donc la Bactriane surtout qui doit attirer l'attention comme la demeure probable des anciens Aryas. Cette contrée célèbre, le Balkh actuel, a toujours été considérée comme la plus beau joyau du vaste empire de l'Iran.—*Les Origines Indo-Européennes*, Tome I., p. 53. See also Dr. Hearn's *Aryan Household*, c. 12, p. 277.

† The antiquity of man is still an unsettled point in science. There are geological proofs that the race had been in existence for 50,000 years when Adam appeared upon the scene. Contemporaneously with that event, Egypt had already reached a high stage of civilisation; and the Bible indicates in Genesis iv., 14, 15, 16, 17, that the founder of the Abrahamic family was placed in the midst of a populous country.

have stagnated, physically and mentally. We may even venture to conjecture, although of this we have no positive proof, that it deteriorated, and underwent deformation. In Lapland and the northern parts of Scandinavia we find the soil to belong to an earlier formation; and there, also, we find the inhabitants of the country ugly in feature, coarse in figure, poor in intellect, backward in civilisation, and indifferent to progress. It is the same in Russia, where, as geologists tell us, large areas of territory belong to the period of transition and to the secondary epoch. And there, also, the people are of a very low type of humanity. Nay, we have it on the authority of a French scientist, to whom we are largely indebted for our facts, that the Slavs who have crossed the basin of the Niemen to settle in Russia have lost some of their finer characteristics, and have gradually descended to the physical and intellectual level of the people around them. On the other hand, if we turn to Persia, Circassia, and Georgia, we shall be struck by the beauty and nobility of the human form in those countries; and we shall likewise be duly impressed by the fact that the greater part of the territory belongs to the most recent formations. Travelling in a westerly and south-westerly direction, we meet the Bohemians in one part of Europe and the Serbs in another. Both occupy countries of an earlier geological epoch, and both are much inferior to their more fortunately situated neighbours. There is no comparison, for example, between the average Bohemian and the average German, or between the average Serb and the average Greek; and the inferiority in each instance seems to be determined by geological conditions, for, in other countries, we observe that people belonging to the same race and nation differ just as greatly from each other as the Dane or the Swede does from the Lapp or the Finn. We may instance the Chinese as a case in point. South of Pekin much of the territory is of a late formation, and there, as travellers assure us, the best type of the Mongol is to be met with—men and women with pleasing countenances, clear complexions, bright intellects, and great vivacity of character. But in the northern parts of the empire, and in the neighbourhood of Lake Baikal, where the soil was formed at an earlier epoch, the common people look more like monkeys than human beings. The same thing is reported in Hindostan, where the hill tribes, inhabiting a primitive region, are scarcely distinguishable from the lower animals; while “in the same peninsula, in the same latitude, in the neighbourhood of Bombay, we encounter one of the noblest and most beautiful types in the

world." And here the soil is of modern formation ; while it is, also, important to observe that the types referred to are permanent, because faces and figures cast in precisely the same moulds are to be seen sculptured on the walls of the temples of Elephanta.

The question of the relationship of soil to language has not, so far as we are aware, ever been mooted ; but a rough glance at a geological and a linguistic map of Europe will serve to show that such a relationship does exist, and that the richest, the most flexible, and the most exquisitely constructed languages have sprung up, have been perfected, and have been used for the purposes of the noblest literatures, in countries of the most recent formation. The converse of the proposition seems to us to be equally true: and we think we might safely venture to assert that the more backward a country is, geologically speaking, the more backward also is the language of its indigenous inhabitants. Possibly we are not without some shadow of justification in saying that a superior race, migrating to a region belonging to the secondary or tertiary epoch, and displacing, exterminating, or absorbing the aboriginal inhabitants of the country, would be liable to debase and corrupt the language it introduced; just as the conquerors might be expected to degenerate in form and structure, and to decline in mind and morals.

But, it may well be asked, is the parallelism between the perfection of the soil and of the life upon it a verifiable hypothesis ? Are there any grounds for asserting or assuming that there is a coincidence between biological and geological development ? Upon this point we can appeal to the testimony of fact, both as regards man himself and the animals he domesticates. Let us take the latter first. It is in France that this question has been investigated with the greatest care by men of high scientific attainments. One of these, M. J. H. Magne, in a " *Mémoire d'Agriculture, de l'Economie Rurale et Domestique* " writes as follows :—" The geological disposition of the soil and the chemical composition of the arable lands, the climate, and certain economic and commercial circumstances, and the displacements consequent upon all these, are the causes upon which depends the greater or less precocity of the bovine races." As to what are called the constitution, speciality, and aptitude of races, he argues that these depend to a great extent upon differences of individual dispositions.

M. Jules Duval, at that time editor of the *Economiste Français*, called attention in it to the remarkable difference between the people, sheep and cattle of two districts in the department of the

Aveyron. One is locally known as the *ségala* (from the *seigle*, or rye, which is largely cultivated there), while the other is called the *causse* (from *calx*, or chalk). They are coterminous in some respects; but the one consists of jurassic soils, while the other is chiefly composed of schist, gneiss and mica-schist. The Ségalsins are a thin, slight, regular and meagre race, generally below the middle height, plain of feature, and with more of suppleness than strength. The Caussewards, on the other hand, are large-boned, vigorous, above the middle height, good-looking rather than plain; slow-witted, perhaps; but solid both in physique and morale. "At the first glance," observes M. Duval, "the two types are perfectly discernible. No one accustomed to see them both would be at any loss to distinguish between a Causseward and a Ségalsin." He adds, that the difference descends into the animal kingdom. "The sheep and oxen of Ségala have never the height and strength of those of Causse. They are never allowed to compete together in the local shows; each region having its own category of prizes. In Ségala they breed and rear young stock. In Causse only do they fatten them."

Again, as M. Trémaux reminds us, the finest oxen and horses in France are reared on soils of recent formation, such as those of Normandy, Gascony, the Isle of France, and others of a similar character; while in regions of an earlier geological date, such as Morvan, La Marche, and Brittany, animals of the same breed are small and scraggy. In Holstein, Schleswig and Denmark, as M. Tisserand has pointed out in his "*Etudes Economiques sur le Danemark*," there is the closest correspondency between the soil, the herbage, and the ovine and bovine animals which pasture on it. "When," he says, "we have passed through and carefully examined the countries which skirt the Ocean, the Straits of Dover and the North Sea, from Corunna, at the western extremity of Spain, to Point Skagen, which terminates the peninsula of Jutland in the Cattegat; when we have observed the geological constitution, the climate, the contour, and the nature of the soil, we cannot fail to be struck by the intimate relations which unite all the bovine races which people those countries." They may have sprung from many different stocks; they may have originally presented great diversities of character, but they have been assimilated by the local conditions, geological and climatic, to which they have been subjected.

And what is true of the inferior is true also of the superior animals. Both, as M. Trémaux was the first, we believe, to remark, are backward or forward in mental and physical development,

other things being equal, in precise proportion to the backward or forward condition—geologically speaking—of the region they inhabit. It is also a remarkable fact, as he points out, that the boundaries of the ancient provinces of France were defined to a great extent, as if by some instinctive perception of a natural law, in conformity with geological limitations. Thus, he says, “La Guyenne and Gascony repose upon a great breadth of tertiary land; La Saintonge, upon cretaceous formations; La Marche and Limousin, upon those of the primitive epoch; L’Auvergne, upon primitive and volcanic soils; Brittany, upon those of the primitive and transition period; Touraine, the Orléanais and the Isle of France, upon tertiary; and Alsace and La Bresse, upon quaternary lands. All those provinces which present a sufficiently great unity of soil, offer also an equally great unity of types. Those which present many diversities of soil, are likewise those which exhibit the most diversified types.” These facts all tend to support the proposition, that as is the soil, such also is the vegetation, and such also is the animal life which is, directly or indirectly, nourished and sustained by that vegetation: “*Tel sol, tel produit.*”

In the eastern portion of Brazil, the traveller meets with a numerous tribe of Indians, who are described as the most repulsive looking on the American continent. They are known as the Botocudos, and they inhabit a region composed chiefly of primitive rock. But in another part of Brazil, where the soil is of a more recent formation, the Mundurucu Indians, as figured by Madame Agassiz in her “*Voyage au Bresil*,”* and as described by Mr. Bates in his “*Naturalist on the Amazons*,” are as superior to the Botocudos as an Englishman is to an Eskimo. The last-named traveller, speaking of a young Mundurucu, says:—“The little girl had not the slightest trace of the savage in her appearance; her features were finely shaped, the cheek bones not at all prominent, the lips thin, and the expression of her countenance frank and smiling.” The Mundurucus occupy a soil belonging to a later epoch, and in building their commodious quadrangular dwellings, they choose the most picturesque sites—“tracts of level ground at the foot of wooded heights, or little havens, with bits of white sandy beach, as if they had an appreciation of natural beauty.”

On the eastern and western slopes of the Andes, between the fifth and the tenth parallels of south latitude, dwell the corre-

* See the engraving at page 279 of “*Le Tour du Monde*” for 1868, *Second Semestre*.

lated tribes of the Antis and the Quechuas. Both are described by M. Marcoy, in his "*Voyage dans l'Amerique du Sud*,"* as very low in the scale of human beings, and as inhabiting huts which smell like the dens of wild beasts. They occupy a region of primitive rocks. A hundred miles from the foot of the mountains you come upon soil of a later formation; and here the Chontagueros are met with. They are superior in feature and in intelligence to the Antis; although it is extremely probable that they have a common ancestry. Travelling further southward through the fertile country of Paraguay and of Pilcomayo, where the soil is mostly of a recent epoch, we meet with indigenous races, whose development resembles that of the land they occupy. According to one traveller, "The Abipones of Chaco approach the European type; they offer beautiful features, a nose almost aquiline, sufficiently well defined forms, and at the same time, a shade of clearness in the complexion. The Chiquitos, inhabiting a well-watered and wooded country, lead a sedentary life and possess a sociable character. The Tobas, who are nomades of the midland region of Chaco, a beautiful and numerous race, have aquiline noses, black eyes, which are straight and not oblique, and clear copper-coloured skins, while their height is tolerably tall." Peschel says that "among the Abipones of Paraguay, the hair is so fair, especially among the women, that in European costume, they might have been mistaken for European women, while the Puelchas and Ancas, whose territory lies ten degrees of latitude further from the equator, are of a much darker hue." The question naturally arises, what is the geological formation of the country inhabited by the last-named tribes? and here we have no authentic information to guide us. We can only assume that it is as backward as the Puelchas and Ancas themselves. But it will not be irrelevant to call attention to a very striking remark of Dr. Schweinfurth, with respect to the races of Central Africa. He says:—"The complexion of the Bongo in colour is not dissimilar to the red-brown soil upon which they reside; the Dinka, on the other hand, are black as their own alluvium. . . . As trees and plants are the children of the soil from which they spring, so here (in the country of the Bongo), does the human species appear to adapt itself in external aspect to the red ferruginous rock which prevails around. The jet-black Shillooks, Nueir, and Dinka, natives of the dark alluvial flats, stand out in marked distinction to the dwellers upon the iron-red rocks, who (notwithstanding their diversity in

* "*Monographie des Antis.*"

dialect, in habit, or in mode of life), present the characteristics of a connected whole.”*

These differences are not the result of climate; because the lighter coloured negroes are much nearer the equator than those who are jet-black. Not only so, but as M. Trémaux has pointed out, in some of the hottest regions of Paraguay, Pilcomayo and the valleys of the Amazon, indigenous races are to be met with, presenting much closer analogies to the European type of feature and figure than to the American Indian.

And again we learn that the Portuguese explorer, Major Pinto, whose travels in Africa are now in the press, has discovered the existence in South Africa, between the Cuche and the Cubango, two affluents of the Zambesi, of a large tribe of white people, locally known as the Cassequeres, whom the traveller describes as fairer than the Caucasians; although the surrounding natives are as black as night. In northern Africa, it has been observed, that half-breeds vary in type, according to the geological formation of the soil upon which they are reared. If this is of an earlier date, they resemble their coloured parent; if of later epoch, they approximate to their white father or mother. In France, M. Bellomet, writing to the *Courrier de Saône et Loire* of the 7th of April, 1864, asks:—“Who among us has not remarked the differences which exist between the populations of two neighbouring communes, of two coterminous arrondissements?—the dissimilarity between the métayer of Morvan, and the vigneron of Mercurey, and the riverside population of the Saône. The country round Chalon is of a much more recent formation than the plateaux of Morvan. And hence there is a much greater beauty of type, and more aptitude for civilisation in our plains than in the arrondissement of Autun.” And it is a remarkable fact, that the provincial divisions of the French population, founded upon differences of soil, have, as M. Chéruel remarks, “survived every political crisis and persist down to this very hour.”†

It is even asserted that in the great deltas, where the soil is composed of the disintegrations of the primitive rocks, brought down in solution by the rivers, there will be found some of the lowest types of the indigenous races; as for example in the deltas of the Orinoco, the Ganges, and the Niger: while the student of

* “The Heart of Africa,” by Dr. G. Schweinfurth. Third edition, vol. I., p. 115.

† *Journal Général de l'Instruction Publique*, 16th December, 1857. M. Chéruel was at that time Inspector-General of Public Instruction, and enjoyed ample opportunities of studying provincial types of character.

history is challenged to mention a single instance in which a high state of civilisation has been developed, except under favourable geological conditions. On the other hand, there have been many instances of degeneration on the part of races, tribes, and individuals, migrating from a recent to an earlier formation. The Foun who were driven out of Egypt by the Pharaohs, and settled in the Soudan, are to-day scarcely distinguishable from the surrounding negroes. So, too, in Central and South America, the descendants of the old Spanish settlers approximate gradually to the lower types of the indigenous populations, where the geological conditions are unfavourable; but they assume a greater beauty of face and form where, as in some portions of the valley of La Plata, the soil is of a later formation. In Louisiana, where the land mostly belongs to the tertiary and quaternary periods, M. Réclus states that the descendants of the negroes introduced from Africa, have diminished by one-fourth the racial difference between themselves and the whites, and that in six centuries the transformation will be complete. In Mexico and Peru, a superior race occupying the country, subduing its indigenous inhabitants, and establishing a really brilliant civilisation, underwent a process of deterioration, and at the time of the Spanish conquest, seem to have fallen to the level of the inferior caste, upon whom they had imposed their authority. We must cite one more instance, and it will be found to be perhaps the most striking of the whole. "At the close of the wars of 1641 and 1689," writes M. Trémaux, "the English expelled the Irish from the counties of Armagh and Down. Some took up their abode in the county of Meath, where the soil is pretty similar; and others were chased into the Barony of Flews, as far as the sea-coast, upon a granitic and very poor soil. To-day, although the first branch has conserved its primitive character, the second has undergone such modifications, that, except in regard to colour, it might be taken for a very low tribe of Australian aborigines."

Now, if it be true that the physique, intelligence and morale of a race are determined by the geological conditions of the country it inhabits, we are brought face to face with the conclusion that we, the members of a branch of the human family which has been settled for ages in regions belonging to the quaternary formation, and therefore "foremost in the ranks of time," have transferred ourselves to a part of the world, in which the greater part of the soil consists of palæozoic rock, while a small portion only belongs to the mesozoic and tertiary strata; and that, having done so, we must be

prepared for an inevitable degeneration of the Anglo-Saxon stock. This may be a very unpalatable prospect, and it may conflict in every way with our hopes, wishes, feelings and interests. But it must not be suffered, on that account, to blind us to a true perception of our position. For if there be such a scientific law as the one which seems to us to be legitimately deducible from the facts we have brought together above, it would be mere childish folly to pooh-pooh it, or to fight against it. The laws of nature are as irresistible as they are inexorable and immutable. Our truest welfare and our best happiness will be found in rendering them a loyal and intelligent obedience. If we set ourselves in opposition to them, they will fall upon us and grind us to powder.

The question opened up is, we venture to think, one of tremendous importance to the future of the Anglo-Australian race; and we have set it before our readers in the hope that it may receive the patient and serious investigation to which it is entitled. We have not originated the theory. We have simply collected and arranged such data as lie within our reach; and we leave to other hands the task of discussing it in the light of ampler knowledge, and by the aid of a wider and fuller array of facts, from which to establish or to demolish the proposition, that, as is the soil, such are the people who draw their sustenance from it;—as is the geological development of a country, such is the biological development of the animal life by which it is inhabited.

WOOL AND WOOLLEN MANUFACTURES OF THE UNITED STATES.

DOES America really protect her industries by prohibiting the free admission of raw wool? The question finds an impressive answer in the statistics of the various woollen manufacturing industries of the United States for the present year. Their flourishing condition is attested by numerous facts and figures, the magnitude of which few people outside of those immediately interested are aware of. This very magnitude claims our attentive consideration, on account of its immediate and future relation to the welfare of Australian woolgrowers, the importance of which cannot be over-estimated.

If commercial statistics are to be accepted as a thermometrical index, which, by its rise and fall, points either to an increased vitality in, or to the decadence of, any particular industry, those which register the consumption of raw wool in the United States foreshadow some very important changes in England's supremacy in woollen manufactures, and may be said to exhibit a palpable indication of its probable translation at no very distant day to the United States.

That England and Scotland have led the world in the manufacture of the most useful, unique, and durable woollen fabrics, combining excellence of quality with a singularly inimitable richness of pattern, no one who has worn anything better than homespun will dispute. So important, indeed, has been this industry to Great Britain, that it is very questionable if it has not brought to her coffers, both public and private, as much substantial benefit as either her iron or cotton industries have done. This supremacy in woollen manufacture enjoyed by Great Britain for an almost uninterrupted period of six centuries, and which by a *coup de main* she wrested from the Flemings in the last quarter of the thirteenth century, under Edward I., by securing the most skilful of their handiworkers in clothweaving, and developing that industry in England, to the

detriment of Flanders; and in further cutting off the exportation of raw wool to that country, thus compelling Northern and Southern Europe to buy the manufactured fabrics direct from England, seems likely to pass out of her hands and to enter upon a new era. A good portion at least of the trade has been already absorbed by the United States, and this absorption has made itself painfully felt in the distress it has helped to occasion in the woollen manufacturing districts of England and Scotland.

Those who have watched the growth in the United States of such manufacturing industries as are able to accommodate themselves, advantageously and rapidly, to conditions springing directly from vastness of territory and resources, and the astounding and rapid manner in which these industries develop into corporations as formidable in influence as they are in space, exercising alike an autocratic spirit no less in political than financial circles, nor less in social than commercial circles, will readily understand that, with certain concomitants—with which Australians will have much to do—the woollen manufacturing industry of the United States may be made to show within a comparatively short time “rapid and at the same time healthy expansion.” It is both judicious and probable that Australia should and will play a very important part in bringing about the organic change that the phenomenal figures we shall quote seem to indicate, and it is for this reason, Australian wool-growers should turn their attention to the market of the United States with zeal and determination.

It cannot be disguised that the prices realised upon the raw material shipped to England last October, and sold in the series ending in June last, were anything but satisfactory; and notwithstanding the clip was something like 15,000 bales more than the previous year, the total amount realised was considerably less, “extra production considered.” This falling-off in price may be attributed to three or more causes. First, the wave of depression which swept over every department of industry and trade throughout the world, deadening the snap of buyers, and blunting the edge of that keen competition, which should exist for prices to be maintained. Second, the forced condition of sale of large consignments of wool—upon which the consignors have had heavy advances from the banks in Melbourne—whether such sales are profitable or not. Third, the increased clip over previous years, synchronous with the depression treated above, naturally “bearing” the prices of the raw material in obedience to the inexorable law of supply and demand,

which, when the supply largely exceeds the demand, makes prices give way until the over-production is disposed of. These three conditions upon examination will be found to explain the rapid decline in the price of raw wool from 1874 to the present time, which may be briefly summarised as follows:—

*In 1874, 88,662,011 lbs. realised	...	...	...	...	£6,373,641
In 1878, 101,809,809 lbs. realised but	...	...	...	...	5,810,148
Falling-off	...	...	...	...	£563,493

This difference in price is very serious, and it is with a view of opening up direct communication with the already large market of the United States, that this paper is written. The natural outcome of such communication must be to make prices more buoyant, as the sharp competition for the attainment of Australia's great product, between two such active peoples as the English and Americans, would naturally exercise a healthy influence upon prices.

Without entering into the vexed question of the utility or inutility of the fiscal policy of the United States as a factor of her manufacturing prosperity, it may suffice to say that during the last half-century this branch of the national industry has assumed almost gigantic proportions; and that to her progress in this respect many causes have contributed. Among these, the following are entitled to a prominent place:—The vast area, diversified productions, varied climates, and enormous natural resources of her territory; the activity, inventiveness, energy and enterprising spirit of her population; the annual influx of hundreds of thousands of immigrants in the prime of life, each bringing a small amount of capital, and each estimated to possess a money value—when regarded merely as a productive machine—of a thousand dollars; the enjoyment by the population of a whole continent, of unrestricted freedom of commercial intercourse; the possession of a magnificent system of inland communication, by means of lakes and rivers in the first instance, and of canals and railroads afterwards; the ownership of the largest iron measures and the largest coal fields in the world, both lying in immediate proximity to each other; the geographical position of her chief seats of commerce, on the shores of two oceans, the one giving access to the countries of the old world, and the other connecting her with Asia, the islands of the Pacific, and the continent of Australia; her political institutions,

* See Abstract of Commissioner of Customs' Report of Exports and Imports, 1878.

which, by guaranteeing individual liberty, have fostered a spirit of self-reliance and commercial adventure in her people; and lastly, the impulse which has been imparted to scientific inquiry and mechanical invention, by the high price of labour, and the consequent desire to supplement or supersede manual toil by machinery and other labour-saving appliances.

And as, in the exercise of that shrewdness, quickness of perception, and perspicuity, which are such salient traits in the national character, the Americans have been prompt to discern and quick to develop the natural resources of the country and to build up, as expeditiously as possible, the fabric of her manufacturing greatness, so also, they have not failed to perceive that there are certain raw products, indispensable to some of her staple industries, which must be drawn from abroad; simply because these foreign articles possess special qualities, which are not to be found in corresponding commodities of local production. And it has been the wise policy of Congress to reduce or to repeal the import duties upon these; while, by so doing, it has given a most beneficial stimulus to the commerce of such ports as New York, Philadelphia, and Boston. This has been done, for example, in the case of bristles for brushware, a by no means unimportant article of import in the United States. This paid a high duty a few years ago, but is now admitted duty free, while manufactured brushware is weighted with a duty of 40 per cent. *ad valorem*. It is true, the Americans to-day have not reached that perfection of manufacture which distinguishes French and English brushware; they have, however, attained to sufficient perfection to supplant those countries in the United States in the supply of a ware which both France and England looked upon as theirs by divine right. Very many other items of raw product could be cited to bear out this theory; the one quoted will be sufficient, however, to serve the purpose of our investigation, which is simply to show that, one by one, the United States are eliminating from their import calendar manufactured goods, and receiving instead the raw material; in many cases sending back to the countries the raw material in a manufactured state, as was England's practice with America in the cotton trade.

Among the items of raw produce, strange to say, not yet emancipated from the yoke of prohibition, may be mentioned wool, an article which bids fair to figure even more conspicuously in future than it does at present—in American manufactures. Few people have any idea that the amount of wool grown in the United

States, is more than twice that grown in Victoria. By Victorian we mean the wool grown in Victoria proper, and also that grown in the Riverina and Darling districts, which finds its way to Melbourne for export. And fewer still can imagine the rapid pace at which the woollen manufacturing industry is developing in America. The fact that the home or domestic clip increases so rapidly, year by year, that it shows a production to-day of 48,000,000 lbs. in excess of that of eight years ago, taken in connection with the fact that the steady demand for foreign grades continues undiminished, the inquiry for them being just as active despite the two heavy duties they are subject to: namely, a specific duty of 10 cents or 5d. per lb. weight, and an *ad valorem* duty of 11 per cent. on invoice value, making one pound of Australian wool, worth 10d. in London, inflate itself to 16d. in Boston,—is a strong proof of the expansion in the consumption of raw wool now going on in the United States, and shows that “their improvement in manufacture, year by year, causes an increased inquiry.” This is also borne out by the figures given in the American table of imports and exports for the past eight years. A reference to it indicates that imports of manufactured woollen goods were £5,000,000 less in 1878 than they were in 1872, notwithstanding the amount of imported raw wool in 1872 was 98,000,000 lbs.—as much as Victoria and adjacent districts produced last year. It must be remembered, however, that the years 1871 and 1872 in the United States were extraordinarily active ones in wools, both raw and manufactured, and hardly a fair precedent, and therefore it will be instructive to show how this trade has been gauged during a period covering the past eight years.

We must, however, preface this table by calling attention to the production of last year, as it has an important bearing on the subject. The domestic clip, in 1878, was 211,000,000 lbs. and the imported raw wool was 35,000,000 lbs.—smaller than it has been during the whole eight years—making a total of 246,000,000 lbs. Of the domestic clip, California produced something like 14,000,000 lbs. less than she did in 1877. But the Western and Northern States increased 8,000,000 lbs.; Colorado and New Mexico show an increase of 4,000,000 lbs.; and Texas, where the Americans appear to look with much sanguineness to find the future Eldorado of wool growing—this State being, to-day, one huge sheep and cattle walk, and having an area of 275,000 square miles, or three times that of Victoria,—increased its supply in the extent of 3,000,000 lbs., being nearly as much as the Victorian increase of last year.

The rapid increment of the wool trade in America may be gathered from the following figures:—

In 1871 the total supply of foreign and domestic wool was about 224,000,000 lbs.; of this 78,000,000 lbs. were imported, leaving as the net domestic product 146,000,000 lbs., against 211,000,000 lbs. in 1878. Here we have an increase of 65,000,000 lbs. against that year.

In 1872 the total supply of foreign and domestic wool was 258,000,000 lbs. Of this 98,000,000 lbs. were imported, leaving a net increase of 14,000,000 lbs. in the domestic clip. The following year, 1873, the imported wool fell off to 48,500,000 lbs., showing a still greater augmentation in domestic wool, and continued to remain at about those figures until last year, when it fell, owing to the universal depression existing throughout the world, to 35,000,000 lbs. It is true that these figures show a large falling-off when compared with previous years, but considering the unparalleled distress and contraction then prevailing, they will not be found to show more than their proportionate decline. Thus, it is found in summing up the increment of America's wool clip during the last eight years, and making due allowance for any ephemeral causes which may have swelled some particular year, that the actual increase to-day is, in round numbers, 50,000,000 lbs. more than it was in 1872, and that the amount of imported wool remains *in statu quo*, with, if anything, a slight increase. If this accretion in the home product, and its facile employment in the manufacture of piece goods, is generally considered large, it may be better understood how much larger will be the increase of the next eight years, if immigration into the United States only assumes, in the future, the same proportions as it has done in the past.

The commercial relation between the United States and China is to-day but a "mere shadow of its infancy." Geographically speaking, the United States has priority over either England or Australia, in the race for the Chinese and Japanese trade, for the run can be made to either place in comparatively few days from San Francisco. In these two countries exist 485,000,000 souls. The employment of woollen materials for jackets among the Chinese is not common, but obtains, and by persistent effort on the one part, and manufactures of light fabrics suitable to the climate and the means of the people on the other, the present woollen consuming power of the Chinese may be made to show enormous expansion. If the Americans do not immediately succeed in hitting upon fabrics which may be made to supplant the blue jean breeches of

the Chinese, the celestial brain itself may devise a textile fabric infinitely cheaper than silk, and more durable than cotton, if only the celestials can be interested in the importation of raw wool. We know the climate is warm, but art is coming to the rescue of manufacture every day, and light woollens may yet be made as cool as linen. In this event, there would be a market for nearly as much wool again as is now consumed, for the population of these two countries is nearly half the population of the civilised globe. It is comparatively of very recent date that the commercial relations between China and the United States in regard to the exports of the latter have amounted to anything to speak of. A casual survey of the table of exports from the United States to that country to-day shows how rapidly the trade is increasing. The commercial family union seems to date from 1875, and the American exports to China and Japan for the following successive years run thus in dollars* :—

	1876.	1877.	1878.
China	\$1,409,965	\$2,781,591	\$2,899,059.
Japan	400,040	878,352	2,245,599.

The increase of trade with Japan is even more extraordinary than that with China; seeing that the population of the former is only about one-thirteenth part of that of the latter country. But it may be accounted for in this wise: The Japanese, by far the more intelligent race of the two, have always, and especially of late years, shown their keen appreciation of American inventive genius and American manufactures in general. Within the past few years a growing feeling of friendship has developed between these two countries, not unaccompanied by an anxiety on the part of the Japanese to become thoroughly familiar with the workings of American institutions, secular, political, mechanical, and scientific. To such an extent is this feeling growing, that it is a common thing to see Japanese students in the American universities, both in the academic and scientific departments.

The question has frequently been asked, inasmuch as it is known that the United States consumes a large quantity of Australian wool in the 45,000,000 lbs. of foreign purchase she makes annually, "Why direct communication has not been opened, if for no better result, to save the Americans much of the commission they pay on the number of times the raw product is handled before it reaches Boston, as well as freight in 10,000 miles of needless transportation?"

* The American Export and Import Calendar.

It has as frequently been answered, that "American buyers find their highest advantages in buying in the larger market." They can do better in London than they can in Melbourne, on the very spot, so to speak, where the wool is grown. This is quite comprehensible and very natural, if we reflect upon the manner in which the wool interest is conducted. Large sellers of any one particular product invariably congregate in a particular street or district known and distinguished as the market for such product. Large buyers naturally gravitate towards this centre, knowing large quantities are sent thither to be sold, and sold they must be, at the very best prices they will realise, and finding besides in such centres a greater variety than they could at the place of production. Hence, American buyers can do better in Australian wool in London than they can in Melbourne. But no substantial reason has been shown why this should be so. "It simply exists," and that's all people can tell you. If you put the question to them, "Why should not Melbourne with every facility in the world, be as large a market for wool as London, and certainly for that part of the clip which Victoria and vicinity produce?" they are equally vague. But it resolves itself into this. The United States might to-morrow, if she chose to repeal her duties on the raw wool, make Melbourne a centre for the purchase and sale of that staple, if not as large as London, at least large enough to supply America with her "foreign purchase wool," which is now half of Victoria's entire production, and we doubt not, with the repeal of the duties would follow such active demand for the lower grades of Australian wool, that America could take the whole of Victoria's production without over-stocking herself, and to the great benefit of her present industries. We are compelled to point out that it is here, that America's protective policy in raw material is not only retarding the growth of Australia, but is vastly inimical to American manufacturing industries. Where there is a large number of growers of any particular product of large consumption, there ought to be buyers on the spot to make the market healthy and infuse a spirit of activity and competition, especially where such country is not cut off by want of communication. Australia now has railways penetrating far into her interior; certainly Victoria has them extending all over the colony, and telegraphic and marine communication with the world. There is no reason why Australian wool-growers should not send the whole of their wool to Melbourne to be sold, instead of consigning it in large blocks through the banks to London agents, except this: growers of necessity must

send their product where buyers congregate, for there they can always effect a sale and turn their product into money; while, if they sent the whole of their wool down to Melbourne for sale, they might sell it, or they might not; there being only an established market for about one-third of the whole clip. In pursuing such a course, they would be taking a risk, and this prudent men do not care to do.

It is clear then that it remains for, and is the special mission of the United States, so far as the wool and her own interests are concerned in that particular industry, to establish Melbourne's position as a great centre for the purchase and sale of wool. It is more particularly America's mission to bring about this change, for she is the party to be most benefited by it, more so even than Australia. She has shown us by the rapid increase of her woollen industries that she has the plant, machinery, labour, and channels of distribution for an ever-increasing woollen traffic.

The United States owes it no less to her people than to the domestic policy she has espoused, namely, that of stimulating her manufacturing industries so as to multiply and widen the channels of employment for her toiling millions, to open her ports to the free ingress of the wools of the whole world. Her annual consumption of this article is so rapidly increasing, and is likely to undergo so incalculable an expansion, as her trade with China becomes more fully developed, that the finer wools of foreign countries are as indispensable to her as is the cotton of the Southern States to the mill-owners of Lancashire. In fact, it must be obvious to every intelligent mind that "the longer the United States postpones the repeal of the duties on raw wool, in just so much time, and in countless millions of money, is she retarding the growth of her own interests, and injuring those of her labouring classes, those of her capitalists, and her development generally."

Nor must it be forgotten that all commerce involves a double transaction, and that for every hundred thousand dollars' worth of foreign wool that comes into the United States a corresponding quantity of her manufactured goods will be received in payment for it, so that while she will be stimulating her domestic industries, she will be also extending her foreign trade and opening up fresh markets in all the pastoral countries of the world. Therefore it would appear that the best interests, not merely of the manufacturers of woollen fabrics, but of all classes, demand the repeal of duties which retard the natural progress of the nation.

By keeping out the raw material, which the country has every facility, such as ingenuity, machinery, labour, and capital, for turning to the most beneficial and substantial account, and an unlimited market for when manufactured; by the exclusion from communities in every way skilled and adapted in the mode of turning into fabric such raw material, protection becomes inimical to the very interests it affects to espouse. It robs the people of the very immunities they should enjoy, are entitled to, and engage for, when they enter into the compact with the government to pay higher prices for their consumable commodities, provided that in exchange for such bonus on all they consume "their mills shall be kept going, their labour and capital employed, and the machinery of their different industries not allowed to rust by reason of an unnecessary handicap." This is what "protection" means in a manufacturing country on raw material; and its continued application to raw wool in the United States, where nearly 300,000,000 lbs. per annum are woven into cloth and other fabrics, where facilities exist large enough to absorb the whole of Victoria's production, viz., about 315,000 bales, or 100,000,000 lbs. per annum, without any serious derangement to the markets it feeds, cannot be regarded in any other light than as an oversight on the part of those who administer the interests of the people; or, as the impotence of those who recognise the immense advantages to every interest in the United States the free admission of wool would contribute, to obtain the remission of the duties, coupled with the absence of a proper ventilation through the press of "how great America's wool industries are, and how much greater they might become."

"If a trading and manufacturing nation finds its highest advantages in the development of its neighbours," then is the position of the United States still less defensible in not having established thus far Melbourne's position as the great wool mart of the world, which she one day must become. To do this, American interests would be equally served as Australian, if not to a greater degree; and this step in the advancement of industry can only be consummated by a total repeal of the duties on raw wool. In these days of hot competition, when the volume of supply so largely exceeds that of demand, we find in obedience to the irresistible force of the laws of politico-industrial economy, the "migration of industrial centres" continually going on, until they reach conditions or places where they can adapt themselves readily to the best economic laws of the day, and where contiguity to the field of production gives them

every advantage. In this way, we find large iron industries moving to the mouth of the coal pit, large cotton factories attracted to the cotton fields, and, if not next in turn, at an early day will be, large woollen mills moving to the sheep runs or contiguous to them; but precedent to this condition must be the migration of the mart itself to Melbourne, and then will follow the factories.

Let us proceed to consider from another point of view, whether advantage or disaster would overtake the American wool-trade in the event of a thorough repeal of the duties on the raw product. In the first place, the bulk of the 246,000,000 lbs. of raw wool manufactured into different fabrics by America last year contained, it is fair to suppose, 150,000,000 lbs. of the lower grades so much used there, varying from 10 cents. to 16 cents., or 5d. to 8d. per lb. With this grade of fleece Australia does not pretend to offer any competition, as the lowest quality fleece produced here in any quantity is of the value of 10d. per lb. The question naturally suggests itself, "Against what does America then protect herself, in this grade of wool?" Is it not against some imaginary producer? Is not protection as applied to this particular grade of wool chimerical? On the higher grades, to wit, those which range with Australian wools, and which the United States buys through England, ranging far above the price of the commoner grades she consumes so much of, the Californian, Texan, Western or Mexican woolgrower would be put to the necessity of reducing his price nearer that of Australia. But, why should he not produce as cheaply? In Texas he has 275,000 square miles of land against 88,000 in Victoria, most of it cheaper than Victorian lands. In California, the same conditions exist, or did exist when the land was taken up, and here is an area of 189,000 square miles; while Colorado and Mexico comprise areas of 104,000 and 121,000 square miles respectively. One naturally asks, Why should the woolgrower, the capitalist or speculator, be enriched to such an extravagant extent to the detriment of the manufacturing industries of a whole nation, 45,000,000 strong? The operation of the duties on raw wool as now levied, virtually affects the volume of consumption, which, to the United States and ourselves, is the greatest consideration, and it is with this question we have to deal. While the woollen industries of the United States were in their incipiency, and had not attained sufficient growth to consume all the raw material she produced, it was, at least, in consonance with her protective system to keep out all foreign wool until she could absorb the production of her own runs.

But this is not the case to-day. We have seen, during the past eight years, that the United States woollen mills not only absorb the whole of the home production, which has steadily increased from year to year, but have as steadily kept importing the same amount of foreign wool without any corresponding decline for the increased home production. Hence the benefits which arise from this particular tariff are in the hands of a "favoured few" against the "whole nation." It has been shown that no injury could accrue to the lower grades by the repeal of the duties, as Australian fleece cannot be said to range lower than 10d., and whatever trade the United States has worked up on the grades ranging from 5d. to 8d., would not be threatened in the slightest degree.

The only derangement recognisable, that which an immediate reduction in cost of 6d. to 7d. per lb. might occasion, would be an accelerated demand for Australian wools, against American of the same price, the former being better for the same money; but this would be almost as quickly adjusted by an increased demand for all fabrics containing this quality of wool; making the manufactured article much cheaper than it formerly was. It would also in other cases enable the manufacturer to give a better article for the same money to those who have been in the habit of wearing fabrics of the commoner class; it would afford the advantage of a very much better article, at only a slight increase in price. As we have pointed out, the immediate effect of the free admission of raw wool, would be perhaps to create activity in the Australian grades, but coincident with this activity would be inevitably an increased demand for woollen fabrics of every description. This revolution in prices would swiftly commend itself to millions of people in the United States, who cannot afford to indulge in the higher grades of woollen fabrics, and yet consider themselves a little too respectable, to have recourse to the lower; as there exist in the United States surprising shades of caste for a democratic country, in such grades of life as "well-to-do mechanics, clerks, shopmen, and the smaller tradesmen," in relation to dress and respectable appearance. Thus, the manufacturer would be afforded an opportunity of manufacturing grades of cloths just suitable to the classes spoken of, and would be enabled to bring woollen fabrics of a better quality within the reach of millions of labouring men and women, who eye it to-day enviously, who fain would like to see it adorn their person, but who find it a little beyond their reach. Considering the severity of the winters in the United States, fabrics

could be made at the new price of wool (duty repealed) to suit all sorts of garments worn by women; and here alone millions of consumers would contribute their mite to the general consumption. Once bring the price of the raw product approximately to that of cotton, so that it can be utilised for fabrics for women's wear, and it will not take the inventive genius of the American manufacturer long to discover the best, most attractive, and saleable uses to put this material to, so as to give it an increased consumption.

It cannot be argued that the United States requires that particular item of the tariff so badly as to be unable to relinquish her right to it from a fiscal point of view. Notwithstanding the amount derived from this particular source is by no means insignificant, there are a hundred and one other ways in which the Secretary of the Treasury could recoup himself for this sacrifice, and this fact is apparent from the continual surplusage taking place in the Treasury department on account of the cumulative tariff, and probably there is no gentleman in the United States who would more quickly and skilfully accommodate himself to the circumstances, and recognise how to cover the deficit thus created, and make good its loss so imperceptibly to the people, as far as burdensome taxation is concerned, than the gentleman who has almost immortalised his name as a financier in the marvellous funding of the four per cents., than Mr. Secretary Sherman. Therefore is the present a most propitious time for agitating the revision of the tariff.

After making this exhibit, and showing what the natural facilities and capabilities of the United States are for the consumption of Australia's great product, it must be patent that there is something radically wrong in the machinery of the Government of one of two countries, the one being an immense producer, manufacturer and exporter; the other, being equally large in area, but a very much smaller producer, manufacturer and exporter, both producing and consuming commodities necessary to the other, one producing the raw material almost necessary to the other's industries, yet unable to have direct communication, which alone can secure that equilibrium of prices and perfection of manufacture, of great benefit alike to themselves and the world in their direct exchange of products.

That our country should be compelled to send its raw material 10,000 miles out of the way to secure for it the very market it could, and naturally should have, were the direct interchange of trade between San Francisco and Melbourne in this product encour-

aged, is to be deprecated. More especially to be deplored is this unnatural state of affairs when one surveys the facilities on every side, all sufficient and complete, for this intercommunication of commerce. With a splendid line of steamers plying between San Francisco and Sydney, running every four weeks, two of nearly 3500 tons burden, and two of about 3000, built by Messrs. John Roach and Co., of Chester, Pa., called the *City of New York* and *City of Sydney*, the remaining two being Clyde-built steamers, called the *Australia* and *Zealandia*—we find these steamers compelled to carry back to San Francisco the coal to be consumed on the next outward or homeward, as the case may be, trip to Sydney, and hence it is that these steamers take in from 2500 to 3000 tons of coal at Sydney, half of which is never intended to be consumed until they leave San Francisco again, from the fact of having no better freight to carry, while both Sydney and Melbourne might be exporting millions of pounds sterling of raw material to the United States under more favourable and equitable conditions. The 1000 tons of coal thus fed to the furnaces of these steamers from San Francisco to Sydney costs the company their original price at Sydney plus the cubic measurement per ton of freight from Sydney to San Francisco, and makes it pretty expensive fuel; while if these steamers were supplied with freight from Sydney to San Francisco, the coal, if Sydney coal is necessary to these steamers, could be sent to San Francisco by sailing vessels, and these large steamers could coal up at the port of San Francisco. It is largely on this account that the New South Wales and New Zealand Governments are called upon to subsidise this line of steamers in the extent of £75,000 per annum, each Government paying £37,500, for the regular conveyance of their monthly mails; and in the presence of all these facilities, it is distressing to have to chronicle the fact that during a period covering the last three years from 1st July, 1876, the agents* of this line in Melbourne have taken through consignments of but *seven hundred bales of wool* for American consumption.

Nor is the yearly consignment of Victorian wool in its entirety to all American ports, by all routes direct, very much larger than this. The following exhibit, obtained from the files of Messrs. Hastings Cuninghame and Co.,† will show as near as possible what

* Messrs. Osborn, Cushing and Co., 124 Collins-street.

† This table has been carefully prepared by one of the clerks of this firm, through the courtesy of Mr. John Smyth, and its accuracy may be relied upon.

the direct trade with America during the past eight years has been:—

From Oct., 1871, to Oct., 1872, to San Francisco, Boston and New York, 19,298 bales.						
„	1872	„	1873	„	„	11,894 „
„	1873	„	1874	„	„	7,295 „
„	1874	„	1875	„	„	19,043 „
„	1875	„	1876	„	„	5,032 „
„	1876	„	1877	„	„	7,861 „
„	1877	„	1878	„	„	5,277 „
„	1878	„	1879	„	„	<i>Nil.</i> „

It will be observed that, apart from the years 1871-2 and 1874-5, the shipments are so infinitesimally small compared with what they should be, looking at that country's yearly purchase of foreign wool, that they might be almost passed over as being too trivial to notice in statistics, were it not that they are made conspicuous in a statistical sense by their being out of all proportion to other shipments. No particular cause is assigned for the entire withdrawal of orders from this market this year, 1878-9, but it is assumed that owing to the low prices which ruled in London during the early part of this year, American buyers have found it serve their interests better to fill their orders from that point. Concerning the large purchases—by comparison—made in 1874-5, it appears that during that particular year a number of Boston wool-buyers sampled Australian wool for consignment to their respective firms. We understand, however, that the prices purchased at, were not so favourable as they might have been, and hence the running up of prices, which took place then, has rather reacted upon the leading wool-houses here by prejudicing future orders, and diverting them to other channels. In view of the existing anxiety of Melbourne wool-houses to renew their relations with American houses on a much more extended basis than before, this sudden hardening of prices is not apt to recur except in cases where idiosyncracies of the market justify it. With over one-third of the entire production of Victoria selling in Melbourne, buyers will find they can do fully as well here as in London, and in many instances better, for the wool-brokers here are exceptionally keen and ever watchful of the interests of their clients.

EDITOR.

N.B.—The Editor of this *Review*, independently of having interested three of the United States Senators on behalf of the repeal of the duties on raw wool, has taken steps to have this paper copied throughout the whole of the United States, with a view of thoroughly agitating this important question before the whole of the American people.

*A BAD BARGAIN.**

BY R. E. FRANCILLON.

PART I.

"DONE."

WAR, "with a thousand battles, and shaking a hundred thrones," had lost all its romance (if it had ever had any) in the hearts of a score of footsore and ragged fellows who were marching, or rather creeping across country towards the village of Paray, in Lorraine. It was an open country, which gave full scope for the rain—and the rain, falling in a cold, steady drizzle, blew straight against the faces of these twenty weary men, whose ill-shod feet found the mud quite hard enough to wade through without having to push against wet and wind. They were soldiers, for they were armed, and their clothes had once been uniform: but they made no attempt to keep in military order. If they did not straggle altogether, it was clearly less for the sake of discipline than of company. Only such ragged and discoloured signs of uniform as were left them showed them to be soldiers of France: their faces—all, save one—showed absolutely nothing, at least in common, except that they were beaten men.

Soldiers of France they were: and beaten men they were, for it was the day after the skirmish at Clouzy. But, no less certainly, they were not French soldiers. They were of the great nation of the broken-fortuned, broken-hearted, and broken-down, leavened here and there with those for whom adventure means fascination and with those who are never satisfied unless they are fighting very hard for some losing cause with which they have no concern. Every grade in society, every country in Europe except one, every sort of motive except patriotism, had sent these twenty soldiers to fight—they scarce knew why, and certainly cared not wherefore. The foremost in this broken fragment of the Foreign Legion was a Spaniard, who would have been serving in the galleys had he stayed at home. At his left shoulder was a Neapolitan who had worn one of the thousand red shirts that had followed Garibaldi, and who was now rather ashamed of his old leader for not declaring war against King William. At the leader's left shoulder was a medical student from New York, who had found the ambulance department too slow, and so had frankly given up trying to cure men for trying to kill them. Behind these came a young Pole, as depressed in defeat as he would have been exultant in victory—he had lost all his money in trying to break a *rouge-et-noir* bank, and had drawn his sword for friendly France because he was afraid to go home and face the count, his father. Then came a Swiss, who had come out in order to break

* By special arrangement with the author of this story, Mr. Francillon, the well-known novelist, we have received advance sheets of his Christmas novelette, which will not be published in England until the end of December next.

the heart of a fickle sweetheart by dying on the field of battle in a foreign land, but had by this time nearly forgotten why he had come at all. And so on, and so on—adventurer, brigand, rogue, rebel, gentleman, scapegrace, and soldier of fortune—until the company was closed by two Englishmen, looking out of place, indeed, in what had been a French uniform.

They walked side by side. The taller, on the right, was a young man who might almost have been taken for a handsome woman gone soldiering—were it not for his height, his length of step, and a brown moustache that nearly covered his mouth and waved down lower than his chin. His features were fair, and almost faultlessly regular, without thereby losing any degree of strength, which looked hidden merely and not lessened by their extreme delicacy. In spite of the downcast and harassed expression now upon him, he would, were his képi turned into a helmet, have made an excellent study for the ideal knight errant, who is strong because he is gentle, and gentle because he is brave.

His comrade was he who alone showed no sense of defeat or flight—either in look or bearing. Had he been alone, he would have looked like a man who was just taking a muddy walk in wet weather, and nothing more. But then it is true that, unlike his handsome comrade, he had one of those rough and yet common-place faces incapable of expressing any but the most sudden and the strongest emotions, and those but imperfectly. The amused good humour which exceedingly distinguished him from the rest of the party was not so much an expression as a habit, inseparable from the form of his unbearded lips and his small, quick eyes of uncertain colour. In figure he was far from graceful, being too broad-shouldered and deep-chested for his five feet eight inches at the outside, and his legs inclined to an unmilitary curve. He tramped on in a loose-limbed way, as if he had never heard of drill, and altogether was the least soldier-like of the whole party. Of what social standing the two were in their own country no creature might guess; for such fortunes of war as these are terrible levellers.

All splashed on in silence—at least for a long while. At last, said the shorter Englishman, in a tone between jest and sentiment:

“I wonder, Hope, what She would say if she saw you now?”

His comrade turned round shortly and sharply. “She?—what she?”

“What she? Why, you don’t mean to tell me there’s more than one? You see, I was looking at the backs of these brave fellows here, just as the Prussians did yesterday, and thinking, if we could only see things just as they are, how there’s a woman walking beside every man of us and driving him on at the point of the needle. You don’t suppose a man, otherwise sane, would care enough for France to go without his dinner for her sake if his home-pie wasn’t empty of all but a woman’s finger? No, no—tell that to the British Marines, but not to the Foreign Legion.”

“Oh—that’s all you mean,” said Hope, shrugging his shoulders. “I thought, for half a minute, you’d forgotten the first law of brotherhood in arms—and that wouldn’t have been like Stephen Shaw.”

“Well, old fellow—I suppose you mean we’re to take one another at the day’s worth, and to ask no questions about each other’s yesterdays. All right, Dick. You’re one good fellow, and I’m another, and we’re friends—it’s nothing to me, of course, how many handkerchiefs you’ve stolen, nor to you how many men I’ve poisoned. It’s enough for us that you haven’t picked *my* pocket or I put strychnine in *your* ‘petit bleu.’ And good reason why—for the pocket’s empty, and to poison the wine would be to paint the lily. But when I said ‘she’—why I was only recognising the pretty obvious fact that you’re here.”

"And don't you suppose," said Hope, looking up and away from his friend's face to where the wide sweep of grey pasture land met the unbroken edge of the grey rain-clouds, "don't you suppose that even an Englishman—a foreigner, may feel enough love of Glory, and enough love of the Right and hate for the Wrong, to be unable to sit still when there is a chance of doing for the Right and for Glory all that one man can do?"

"No, I don't," said Stephen Shaw, bluntly. "I don't suppose anything of the kind. There's Ruiz, there—don't tell me it's honour and glory that's made him give up purse-cutting in Madrid, or wherever he comes from. It isn't love of right that's brought Mori among us—it's love of a row: barring the girl. There's you, of course—I'll believe you're worth the whole lot of us put together, because you are: I'll even believe you're enjoying the mud and the wet and all the rest of it for the sake of this con-founded country: but there's one thing that I can't look at you and believe—and that's that honour and glory don't spell Girl. And so I was wondering what she'd say now if she saw you—that's all. I fancy she'd have to admit she wasn't worth the bother."

"Well—believe in her then, since you must, and let her be. Whatever has brought me here," he said, not over good-temperedly, "it is not a contempt for the great nation we are fighting for, or a disbelief in her or in her cause."

"Meaning me?"

"I'm not going to ask *you* questions—but you must own it's odd to find among us a plain, comfort-loving Englishman like you: why, you don't seem even to care for fighting except when it's forced on you, and—what has a man to do here, who has no enthusiasm himself, and sneers at it in others: who has no spirit of adventure even? It isn't for you to charge me with being a mystery, Shaw."

"Yes," said Shaw, reflectively. "I am comfort-loving, I suppose. I don't like this French mud, and I shall be glad to get to Paray. . . . Hope."

"Well?"

"We're not much alike—but we're friends. And, as I've got just one friend in the world, and no more, I'm glad it's you. Are we friends enough for you to care to know why I'm here?"

The course of the talk had no doubt turned Hope's thoughts upon his own story, whatever that may have been. It is not for nothing that a man is careful to set so much store upon the doctrine that war-made friends should treat with reticent respect each other's yesterdays. But a most uncharacteristic seriousness of tone in Stephen Shaw's last question caught his attention: and he said,

"Why, of course I care. But——"

"But you're afraid of story for story! You needn't be. We're not a couple of school-girls. Look here, Dick. I don't know whether it's the beastly weather, or an empty stomach, or having seen so many dead men yesterday, or what it is, but I've a curious feel about me as if I shouldn't see England again—not that I care much about that, or much about anything, except one. But about that one thing I *do* care: and that's why I'm here. No: I don't care about France any more than Ruiz does, or Mori, or Bartkowski, or Jefferson, or anybody here. But I care very much about—a woman."

"And so you think everybody must be in the same boat, eh?"

"I don't think it. I know it, Dick. And I want to tell you my story for a reason—besides the feeling I told you of, which is a queer one. It sounds weak, and it doesn't sound brave: but I've got it, and saying I haven't got it won't make it go—any way, not before supper time at Paray."

Well, Dick—to cut it as short as I can, my poor father was a Somersetshire farmer: Peter Shaw was his name. There's always been a Shaw at Barnford, mostly a Peter or a Stephen, ever since the world began. But somehow the family had got wonderfully narrowed down, till there were left, when my grandfather died, none of the whole kin but my father, Peter, and his younger brother Paul. It was odd: but, barring each other, these two brothers hadn't a relation nearer than a second cousin in the world, and none at all within fifty miles of Barnford. What was worse—when a family gets smaller it mostly gets richer: but that wasn't so with them. They always managed to get on the wrong side of the hedge in the unlucky way of some people, and so at last my Uncle Paul, who hadn't mended matters by having been brought up for the church at Oxford and leaving the place with more debts than fifty farms like ours would have paid in twenty years, made up his mind to try his luck abroad, seeing it didn't seem of the sort to flourish in England. He was a rolling sort of a stone was my Uncle Paul—not a bit like Shaw: I never saw him, but I fancy I take after him a long way more than after my poor father, who never went farther from Barnford than if he'd been one of his own trees. Halloo—what's that?" he interrupted himself suddenly.

"What?—where?"

"I thought I saw a tree, just now, out there—and I thought it rode off like an Uhlan; but it was only a trick of the rain, I suppose. Well, my Uncle Paul just carried his luck with him. The last my father ever heard of him was that he'd married out there, and his wife had died, and he was going to California, and couldn't take his little girl with him, and so he'd packed her off to Barnford by sea. I wasn't six years old at the time, but I remember that little girl's coming as if it was yesterday. Did you ever see a litter of mongrel puppies, one worse crossed than the other, all but one that by some queer chance turned out as thorough-bred as—as you? Or perhaps it was more as if you were to take some wild breed, and try and cross it down into plain, common usefulness, and then find yourself startled some fine morning by finding in the straw one of the old wild stock, just as beautiful and as fit for nothing as if its great-great-great-great grandmother had been its dam. There's the little girl for you, as plain as if I showed you her picture. I'm not good at describing things, and there's no need—you've only got to look hard at me, and whatever I'm not, that was she. We were as much like first cousins as you and I. I think I told you we never heard of my Uncle Paul, her father, again; so my father kept her, and we were brought up together, as if we'd been brother and sister."

"And by the time you were sixteen you were in love with her, head over ears. Yes, Stephen, you're just the fellow who'd take calf-love badly; if there's any man who'd care for the same woman from sixteen to sixty, it's you."

"Not a bit of it, Dick. I no more fell in love with her than—than she did with me. I've never been in love, and I'm not going to be such a fool. A man's got enough to do to look after himself in this world, it strikes me, without making more trouble for himself than need be. And if I ever had the ill-luck to fall in love, you may depend on it I'd follow your example—I'd hold my tongue. She wasn't a common sort of girl—I could tell that, though down at Barnford I'd scarcely known another. She was as proud as a peacock, and grew up as quiet and lonesome in her ways as if she didn't belong to us at all. And I believe in my heart, Dick, that she did manage to live some real sort of life in some other world of her own. I can't tell you why I thought it, and I can't guess what sort of a world; how should I? But one can't help getting notions—and that was one of mine. When she was with us, she always seemed to come down

from somewhere, and to be wanting to get back again. I don't know whether father felt the same as myself, but I'm pretty certain he cared for her a long sight better than for me, and for that matter she was made to be first with every one. Well—at last he died: and then she and I were left without kith or kin but our two selves. I went into the business and found that what with bad times and one thing and another my poor father had died in debt up to the eyes, and that when the farm was sold and everybody paid off, there might be a matter of a ten pound note to divide between her and me. If it hadn't been for her on my hands I'd have gone off like Uncle Paul—but with that helpless girl, who'd never been able to learn so much as how to milk a cow, what was I to do? I couldn't go off, and risk leaving her to worse than starve. I know she was just as innocent as a baby—then: but—well, I told her how matters were, and how she must put up for a bit with the best home I could make for her, and then she seemed to wake up all at once, and look things in the face. But even then it was in her own way. She wouldn't think of keeping me down, she said—as if she wasn't more to me than a born sister, and as if a man with two hands could be kept down by a girl that hadn't even the strength to make butter come. I made her give in: and we went to live at Bristol, where I got a place in a nursery.”

“A nursery?”

“Yes, I'd always had a turn that way: flowers were the only fancy she and I had ever had together—the only corner of the world we could ever really meet in, you know: so naturally I'd made the most of it, at Barnford, seeing she didn't care for the rest of my world and that I couldn't follow her into hers. But we could both talk about roses, you see—though even then I never could get her to know the names of the sorts, nor how to manage them—she'd think more of the commonest cabbage, so long as it looked bright and smelled strong, than of some real Eugénie that I'd may be spent seasons in making blow. And I don't call it a come-down for a man to change Cain's trade for Adam's. And so we went on for a time, well enough, till I saw a change in her. From being still, and quiet, and almost sad, she turned bright and wild—Dick, there's no name for it but just wild. I was glad at first—but I didn't know women then. I was out at the garden all day—how should I know what was going on behind my back, at home? But—. Hold up, old fellow; what's the matter with *you*?”

Richard Hope had turned suddenly pale, and now stood still, leaning his chest on the muzzle of his rifle as if to keep himself from stumbling forward.

“Nothing,” he answered. “Only a giddiness—I shall be glad when we're at Paray. I'm not made of iron, I suppose.”

His friend looked at him anxiously. “You're not going to break down for six miles more,” said he. “Put your hand on my shoulder—and take a pull at my flask. Now then—you're all right now. Lean on me, and march!”

But Hope, without taking his friend's support, strode on more firmly than ever. “Yes—I'm all right now. Go on with your story, please.”

“Where was I? You gave me a turn, Dick—I thought you were going to fall out, and break down. Yes—I remember. I went home one night: the first thing I saw was a letter to me pinned up over the fire.”

“Well?” asked Hope, impatiently.

“I needn't repeat you the words. She said she knew I'd been good to her: she wouldn't stay in my way any more: she had come to know somebody that would give her a life of her own: in short, thank you for nothing, and good-bye. Yes, Dick—the girl whom God had put into my keeping for

Him had been led off behind my back by a man who wouldn't publicly own her and wouldn't even let her sign her married name to her own brother. Dick—have *you* a sister?"

"I?—No."

"If you had one—what would you have done?"

"What did you do?"

"I gave up my place, and I traced her to London, in company with a young gentleman named Carrel. Dick, there's only one thing I thank fortune for, and that's that I'm not a gentleman. And if you're one, it's the only fault I've got to find with you; but it's a big one. Carrel's one. Gentleman, and blackguard. You'd better make use of my shoulder, Hope; we've got some way yet to go."

"What makes you think I want anybody's arm? How do you know what reasons thousands of men have for not letting the whole world know all they do?" He spoke almost over warmly for mere argument, and Stephen Shaw looked at him more anxiously than before.

"I wish you'd take my shoulder, Dick—that's all. Any man may get a bit strained and run out in a tramp like this, especially if he gets excited over fighting, like some do. . . . I don't know to this day if the fellow ever married her. But I do know that he took her to France and to Metz; so far I've got on the track of them, and that's why I'm on *my* way to Metz, in the only dress that will be safe to carry me there and prevent my starving on the road for want of money, or being shot or lynched for a spy. I've been a few years on the road already, and if I don't run them down at Metz, I'll go on till I do. If she's married—well, I'll get the proof of it, and go back again. If she's not married, I'll see what's to be done. But if—he being a gentleman—he's deserted her, I'll use him as blackguards use dogs, and as men use blackguards. That's my story, Dick—that's why *I'm* here—for a woman, like the rest of them."

"I didn't ask for it," said Hope brusquely. "Why do you tell it to me?"

"Didn't I tell you why?" said Stephen. "Didn't I tell you it was because I'm hungry, and because it's wet, and because running away from battle doesn't make a man feel as hopeful as when he's full and the sun shines? You see my way to Metz lies over dead bodies—and one of them may be my own to-morrow. You see, old fellow, I've got no particular object in life except to look after, and save if need be, the only living creature that's got any claim on me: I'm not one of those lucky fellows who have to beat their duties out over such a lot of people that they get too thin to be seen. I've got only one duty given to me, and I want to do that, if it ends in nothing better than putting a bullet through the head of a blackguard: it's a sort of a one ewe lamb. And it's quite clear that Lucy didn't know how to take care of herself, poor girl. And so—look here, Dick. We haven't known one another many weeks, but in this sort of life a week's more than a year. One doesn't get to know a man's history, but one gets to know a man—and to trust him. We've helped one another oftener than men get a chance of doing in a lifetime elsewhere; we've shared rations, liquor, danger, and all the rest of it: and if I'm not wrong, you'd trust me with all you think worth having, except your story, just as I'd trust you. If we get in for another skirmish like yesterday's, and if I don't come out of it—then, when you get to Metz, just—for an old fellow-soldier's sake—ask about for Lucy Carrel—or Shaw: English folk can't be as common as blackberries there just now. Find out if they're married: if they are, see that it can be proved in time to come, if need be: if not, remember that you're an Englishman, and that she's an English girl in the hands of a blackguard and in a country of blackguards, and do by her as

you'd want me to do by your own sister if you had one. Is that a Bargain?"

Hope did not answer for a long moment. But at last, "Yes," he said, suddenly. And then, after a longer moment still,

"But—Shaw—it may happen that you will get to Metz, and not I. When you go back to England, go to York: ask for—wait a minute." He suddenly stopped, and took from somewhere about him a letter and a lead pencil: probably the only articles of their kind among the whole company. He turned his back to the wind and rain, tore off the unwritten leaf of the letter, scribbled a few words upon it, with his cap for a desk, and enclosed it in the already used envelope, which, however, had not been so much torn in opening as to prevent its being refastened. "You see this envelope," he said, gumming it together and showing it to Stephen. "It's old enough now—it came to me at York. Ask there for Mr. Carlyle: he's a lawyer there: I've written the name outside above my own: and give him this. Is—is that a bargain too? Into his own hands with your very own: and no other way."

"I should think you knew pretty well that I'd do a lot more for you than give a letter to a lawyer," said Stephen, taking the envelope and putting it safely into the breast of his jacket. "Thank you though, old fellow, for giving me anything to do for you. We always shake hands on a bargain down in my country—give us yours."

He held out his hand. But Hope, instead of taking it, stooped to pick up his cap, which managed to drop from his hand just as he was returning it to his head. And, as it happened, before he could quite see his friend's hand.

"*Fermatevi! Alto-lá!*" cried Mori, the Garibaldino. Nobody in particular was in command of the broken party; nobody knew why a halt was called. But they obeyed, and waited, while the two Englishmen regained their places in the rear. "Ruiz swears he has seen an Uhlan," said Mori.

"And I can swear I thought I saw one," said Stephen. "But what then?"

The talk of these comrades was rather after the manner of Babel; but men can always understand one another well enough when there is really need.

"Why then," said the Italian, whose former experience gave him some authority, "if Uhlans are about it's clear we've got off the track for the rendezvous at Paray. Who's responsible for the route?"

Each man looked at the other—each man looked as blankly back again. Then eighteen voices, in at least six tongues, exclaimed, "Not I."

Stephen said nothing. Hope came forward, and said, in excellent French,

"We must find a guide. There is nothing for it but to go on; if we reach Paray within an hour, well and good; if not, we shall reach somewhere somewhen, and we shall find some friend in a blouse to go with us, either with a good will or with a bad one. There are plenty of villages round—there are Durenque, Préchac, and Villiers-Andrieu."

Mori shrugged his shoulders. "You others may march twenty miles instead of six—not I," said he.

"I can't see it's so much of a trouble," said the American. "As you say, sir, for twenty men to walk twenty miles apiece instead of six is waste of labour; but it's not much waste for one. Now here's a brook, running down hill. I have always observed in Europe that when a fair-sized brook runs down hill, you're pretty certain, if you keep along, to get somewhere within an hour. I propose that the main body camps here, and that we send out one scout down that stream to bring a guide or find better

quarters. I conclude this to be a council of war, sir; and that is my opinion. As for the Uhlans—if any considerable body of cavalry succeeds in reaching us through this mud, why then the nature of horses is not what it used to be. Perhaps our scout will succeed in reaching one of those places with the French names of which there seem to be so many around.”

The eyes of all, save of the speaker himself and of Hope, turned, as those of one man, upon Stephen Shaw. For there was not one who would have trusted any other out of sight when to shift for oneself might be the only course consistent with obedience to the first law of nature. Each and all might be trusted to seek better quarters; but which was the least unlikely to avoid a long, weary, and lonely tramp back again in order that he might share them with nineteen other hungry men? One lost soldier of France would doubtless be welcome enough at Durenque, or Préchac, or Villiers-Andrieu: but nineteen soldiers of France—*Dieu nous en garde!*

Not one eye veered even towards Hope, though he too was an Englishman, and though he alone spoke French fluently. For there are two sorts of Honesty—one like a word in manuscript, which needs the context to make it clear: the other, stamping a man as if with large Roman capitals which children and rogues can read as well, and even better than, ordinary persons who are more versed in peculiar styles of caligraphy. Stephen Shaw's was of the latter sort: he had been ready with no resource, so that each thought himself cleverer than the plodding Englishman who might be trusted implicitly even by a rogue. Hope's was of the former sort: though above suspicion, none felt absolutely sure of understanding him.

The election of the scout was silent: but it was beyond question. “All right,” said Stephen. “Dick,” he said, “something or other came in the way of our hands just now. But a Bargain's a Bargain—grip on it before I'm off, and say Done.” He held out his hand again.

“Done!” said Dick, grasping his friend's hand firmly.

It was a desolate sort of hill-side waste down which ran the brook, with no better land-marks than gorse-bushes and junipers. It was safe enough, even for a benighted traveller; but only those who can recall certain weeks of that autumn in the land of sun and wine know what walking upon soaked sponge really means. It is doubtful if anybody had ever trodden the banks of that special stream before: Stephen Shaw often found it hard to distinguish half running mud from half stagnant water, the two were so bewilderingly mingled. A few yards to the left—he was on the left, or southern bank—would have landed him in comparative highness and dryness. But then he might, in that grey afternoon of mist and rain, have lost the stream's course altogether, and he was the last man to disobey even silent orders by going an inch out of the way. He had undertaken to find his Cousin Lucy, and he had declared war on the King of Prussia rather than lose a chance of finding her, since the King of Prussia had come in this Somersetshire farmer's way. Even so, he had undertaken to keep to the stream, and so he kept to the stream; and if a brick wall had barred his course, he would have tried which was hardest, his head or the wall. And it is hard to say what the practical answer would have been to such a question.

He was certainly not a man who habitually gives way to visible softness of mood or lets any thoughts distract him from what he is doing. He plodded on until the American proved a true prophet—he saw before him a village, not straggling about in the way familiar to Somersetshire eyes, but close and compact in the middle of the waste, and only kept from being a land-mark on that side by lying at the foot of the long slope down which oozed the stream. He made straight for it, and presently found himself in a straight road running between two ditches and bordered by poplars, with

sky at one end of it and the village at the other. He had succeeded, so far, better than could possibly have been looked for.

The waste, as it ran down to the road and approached the village, became more and more cultivated, though not in a manner appreciable to eyes in which the well-marked fields of Barnford were fixed as the type and model of all intelligible husbandry. Naturally there were no labourers about in what the natives called fields, for the ploughshare was taking its war holiday everywhere: nor does one expect to meet passengers enough to play travellers' cribbage with along a high road in North Lorraine. But—if a sense of nothingness can be intensified—the want of life about him became more and more like the presence of death the nearer he approached the houses. He reached them at last: and then he knew what it means to be alone—as one only can in solitudes which man has made.

It was not a picturesque or attractive village. But no doubt it had once been flourishing enough in its humble way—there was a large inn with a coach entrance, and two or three green-blinded houses with walled gardens that made the place something more than a mere wayside labourers' lodging. But all, even the Forge itself, where men and women are sure to gather when there is news abroad, was a very grave-yard for silence. No sign of man, woman, or child, dog or cat, was to be seen or heard: not even so much as a fowl in the inn yard. Stephen Shaw found the inn door open, and went in. It was safe from him, even had he been a robber—even the chairs and tables and all articles of furniture but the heaviest seemed to have found life enough in their wooden legs to run before the strange and wild rumours of an invasion by Ogres and Cannibals. Such scenes grew common enough in later days, when whole villages turned out *en masse*, and roads, far out of any line of march, were thronged by such processions as made the lips smile for their grotesqueness and the heart bleed for their misery. But Stephen Shaw, while in the ranks, had as yet seen none of these: and he could only suppose some new Joan of Arc to have arisen and to have inspired the very cocks and hens, kittens, and kitchen table to turn out against the invader: even the sick had taken up their beds and gone.

"Well," he thought, "if the worst comes to the worst and we don't reach Paray to-night, they've left us plenty of sleeping room. I'll have a look at the larder, since I'm quarter-master." But food and wine had gone too—he searched the inn, and the two best houses in the place besides, and found not so much as a single bottle or a single crumb. Rats had not come into request yet, so he did not trouble to look for these.

"Now the question is, what I'm to do," thought he. "If Dick were here, or even the Yankee, one might guess: but if I knew French, it's no use speaking to empty houses for a guide or even for bread and wine. And yet I didn't come here to go back for nothing. If I go on along the road, heaven knows how far, till I get to the nex place, ten to one I shall find it the same: I'm afraid it's a scare, and I hope we shan't find only too many friends at Paray. I must think"——

He leaned against the post of the carriage gate of the inn, wet, hungry, and weary, and made an attempt to think out the problem of how to bring something out of nothing. It is an old problem, and it is troubling much wiser heads than Stephen Shaw's. Suddenly the strangest, forlornest of voices spoke—the bell of the parish church, chiming the hour to an empty village. It was as completely and as stupidly faithful to a dead duty as the only man within earshot: and it made even him almost smile.

"It's a queer world!" thought he—as the end of his thinking.

She was the quaintest, oddest little creature that stood before him, with puzzled, trembling lips, and wide open eyes—had he been a believer in fairies, he would have known that he saw one now. She was all the quainter for a queer little white cap curiously made up of lace and muslin that made her look old-fashioned, almost old-world, in eyes from Somersetshire, and which prevented her braided holland frock from looking common. Her face was round and rosy: her eyes were marvellously black, bright, and large. He looked down gravely, almost shyly, at an apparition which the bell had seemed to have suddenly chimed into being—for she had certainly not been there a moment before. Had he seen a lion just then and there he would have been less put out than by suddenly finding himself face to face with a little child, or rather a little woman. For no great lady who knew the world could have made him a more finished curtsy. Altogether, when her own first bewilderment at the sight of a stranger left her, she looked so completely at ease, and altogether so much like a little empress, that he could only look at her and wait her pleasure.

"*Monsieur le soldat*"—she began: and so far he could follow her. But ears more or less used to the *lingua franca* of his company were, by her lisping but fluent music, sent completely to sea. He folded his arms, leaned stubbornly with his right shoulder against a post, frowned, and tried his best to follow her. It was in vain. She took no heed of his bewilderment, and still her speech flowed on, and on, and on, as if it would never end. But presently her voice began to trip and stumble with eagerness, and she tried to help it out by signs. That gave him some hope: for signs at least belong to a common language. First, still speaking, she raised both her hands above her head—one tightly closed into a fist, the other extended—and stretched out her arms as wide as they would go. As she lowered them, and leaned forward with two fingers to her lips, he made out the word "*Maman*." The gestures were singularly, even dramatically, slow and large for so small a person: they were apparently meant to be full of descriptive meaning: but he could only shake his head—even these were Greek to him. He could make out nothing more when she pointed for one quick moment to one of the white houses with the green blinds—unless perhaps that she lived there: or when she clasped her fist with her open hand, held both up to him with a look of triumph, then opened her fist and showed him, as the end of all this long speech, a flat bonbon-box of common white pasteboard.

It was hospitable. Even chocolate under such circumstances is better than nothing, though were the bonbonnière full it would not go far among twenty hungry soldiers. He took it with a "*Merci, Mamselle*," and a smile; but finding the trick of opening the fragile thing too delicate for his fingers, shook it at his ear, and made the contents rattle. She held out her hand, and he gave it back to her.

"*Voici, Monsieur!*" said she. She gave the box a tap, opened it, and showed him the contents—two small drops of chocolate à la crème, and no more. When he had admired them enough to satisfy her,

"*Mais mangez donc, Monsieur!*" she said, so plainly, gravely, and slowly that even he, growing a little more used to her voice, could pick up every word as if it were a separate pearl, "*Une Française ne mange pas des bonbons lorsqu'un soldat Français a faim. Mangez donc, soldat, s'il vous plaît.*"

The contrast between the speech and the speaker might have made him laugh—it hardly made him smile. Something, he knew not why, about the child made him think of the only little girl he had ever known; a child with eyes scarcely less large and dark, and with ways and tricks hardly

less quaint and old-fashioned than these. Had Lucy come from France instead of from nobody knew where, this might have been herself gone back to childhood again. And now, who could tell what she had become? Who could dream what this child also might not become? Stephen Shaw never had any but the most common-place ideas; he was a lamentably common-place sort of man. He wanted to say something to the child, if only to ask her what she was doing there all alone. So he tried to make up a good French sentence in his head, and meanwhile fell back in his turn upon the language of nature, in order that at any rate he and she might be friends.

So first he worked his hands up, one over the other, from the pit of his stomach to his mouth, and nodded—"That," he thought, "will tell her I'm not hungry enough to rob her of her sugar-plums." Then she nodded back, and smiled; and behaved like a lady. That is to say she handed him one of the drops between her thumb and forefinger, and herself ate the other. There was nothing for him but to behave like a gentleman, and accept and eat the gift in the spirit in which it was given—as the bond of friendship, and no longer as the symbol of charity.

Both stood opposite, munching chocolate gravely. The process gave him time to think before speaking, by arresting her flow of words.

"*Où est maman?*" asked he.

She caught at his accent as quick as lightning—" *Vous êtes Prusse?*" she cried out fiercely, starting backward.

He could hardly help laughing now: but he said, pointing to his uniform,

"*Je suis Monsieur John Bull soldat Français.*"

She curtsied, and held out her hand to him—he stooped, lifted her up, kissed her, and set her down again. Then she made him another long speech like the first, and as far beyond his following—for whenever he caught up one word she was in front of him by fifty—curtsied again, and went off with "*Au revoir, Monsieur.*"

But all this had not helped his thinking. He remained at his gate-post, and watched her off down the village street as fast as her little feet would go. Whither? He had himself walked at least two miles along that straight high road between the fields and poplars, and knew that for more than two miles she would arrive nowhere. At last she passed the forge—the last house in the village. And still the rain came down.

He started off, and overtook her. She looked up in his face, pointed along the road, and said,

"*Maman.*"

He shook his head, fairly puzzled. Wherever Maman might be, it must be at least two miles off, and a child like that was neither fit nor able to walk two miles alone in the wind and rain. Yet nobody was in the village—that was the most certain of certainties. Sadly he had to bring himself to face the fact that he must return up the stream to his comrades and tell them he had found nothing for them but quarters to starve in, seeing that all the provisions in the place had been devoured by himself and a child. And the child—what was he to do with her? What could have happened to make a mother go off, even in this outlandish country, and leave a baby like this behind her? Well, he had not yet reached the point where the stream left the waste and ran under the road. He would take so much space wherein to think, and think hard. Meanwhile he lifted up the little girl on his broad shoulder and went on.

"What is your name?" he asked. "*Qui est votre nom?*"

"Lu."

The syllable went to his heart: he almost waited for the second, but it did not come. Somehow, this waif of war upon his shoulder felt creeping, at every step, a step nearer to where her name had gone. They reached the stream. He stopped, doubtfully—she pointed onward, and said again "*Maman*." Her stream of talk seemed to have quite left her: no doubt she was getting tired. Presently, as he stood, she clasped her bonbon-box tightly and lovingly to her bosom with both arms, her head fell forward, and she murmured,

"*Bon soir, maman*."

He could only, as lightly as he could, shift the drooping head till the lace cap lay delicately against his worn-out képi, and the soft cheek rested as comfortably as might be against his brow. To search for *maman* was impossible. To leave the child was more than impossible—even had the eyes been less large and black, and the name less like Lucy. "Well," thought he, "I'm in for it—that's all. She must share our quarters to-night in that empty village, and we must trust to luck for finding *maman* at Paray—if she's alive. Live mothers don't run away alone—poor little thing! And, as I'm in for it—here goes."

He set his feet to the mud again, and kept by the stream as his guide, though less closely than before. "By the Lord," he thought, "how they'll chaff when they see what I've brought them—poor little thing! No—she can't be alive, that *maman*: I can't think of a woman living and feeling that her little one's lost, and dead for aught she knows. I believe she thinks she's in bed—poor little thing! Well, if I've done no good in this day's march, it can't be for nothing that I came where I came, and found what I found. I shall be glad to get alongside of Dick again—he'll know what's to be done."

So on he went, keeping as well as he could on the best walking ground for Lu's sake, so as not to chance waking her by stumbling in the darkness—for the evening, as well as the rain, was now falling. He had no cloak: but with a care that almost achieved gentleness he managed to get the better half of his jacket round Lu. And at last—there was no mistaking the spot—he arrived where he had left his comrades. Yet—had he mistaken it? No comrades were to be seen.

But he was not mistaken. It was as surely the place where he had left them as that they were not there now—not a sound or sign of them.

"They must have had some special reason for moving on—Dick, at any rate, wouldn't have left a comrade in the lurch for nothing—though I suppose it's true enough that all's fair in war. Well, I suppose there's nothing for it but to tramp down the confounded hill again, and stay in the village till morning. Perhaps if I commit a dozen burglaries there, the twelfth may end in some sort of supper, or breakfast, to last us till we get to Paray. I hope to goodness the child won't catch cold—yes: there's as certain to be a She at the bottom of every mess as that I'm in one now—even if she isn't more than six years old. More fool I, when I've got one She on my hands, to put another on my shoulder." He managed, without more than half waking her, to get off his jacket entirely and to wrap her up in it like a bundle, letting the rain drench his shirt as much as it pleased. Then, with a weary heart enough, he turned down the stream once more. It was as if he were a soul in Hades, condemned to wander up and down that stream for ever and ever. Had he been alone, he would have found the least spongy side of some juniper bush, have turned his rifle into a pillow, and made the best of the situation, for even he was beginning to get worn out by now. But Lu must have a dry roof for her head, if he had to go ten times up and down that stream to find one: and she must

not wake breakfastless for the first time in her life to-morrow so long as the least chance of finding one lay in the deserted village.

She still slept soundly, and no wonder; for the night was growing most sleepily cold, and her nurse's shoulder was as strong and firm as a bedstead, and broad enough to hold her twice over. At last they reached the road once more: and at this halting-place Stephen, whose slowly moving mind had at last had time to get into working order, reflected once more.

"This road runs two ways. One way goes through the village and towards the Prussians. I don't, when I think of it, fancy that the people turned out to meet the Prussians. Therefore they'll have taken the other way: and, being a road, it must lead somewhere. It's two miles to the village, it can't very well be much more than two miles to somewhere, if only to a house: and the chance of one house with something to eat in it is better than fifty houses with fifty no doubts of nothing. A bird in the bush is worth more than none in the hand."

So he argued: for the child, asleep herself, was setting his brain to the task of thinking out how best to find food, shelter, and safety for her. The villagers could not have been so long on the road as to be beyond the power of stout walking to overtake them: and at any rate his choice was the best chance of giving her back to her friends by morning, if not before.

He had carried her for about a mile, when the road divided. But at the division stood a direction post—and it was not too dark for him to gather from the list of places and distances on the three arms that the deserted village was called Préchac, that if he took the left ford he would in time reach Metz, but that if he held to the right he would, in little more than half an hour, reach Paray. Yes—Paray? He did not know how tired and worn out he was till he read that in half an hour's time he might allow himself to break down till morning. Dick Hope would no doubt be at Paray: and perhaps maman too—if alive. He began to sing: but very softly, so that it might sweeten Lu's dreams.

So Paray was going to make itself a stop-gap on the road to Metz, as well as a rendezvous. About a mile from the little town Stephen had to pass a ditch and a barricade, made of road metal and a number of faggots and felled poplars; and just beyond this he saw the lights of Paray twinkling towards him. In effect, he was already there; and if maman was not to be found, any town would prove large enough to contain at least one mother ready and eager to charge herself with the care of so small a war-waif.

At the verge of the town itself, just at the outer end of the old stone bridge, a chain was stretched across the road from a toll-house to a poplar tree. At either end of the chain stood a sentry, each in the shade. As Stephen approached,

"*Halt!*" cried one sentry, coming from under the toll-house and lowering his bayonet. "*Wer geht da!*"

The Prussians were in Paray.

Stephen pushed up his képi and considered the situation from an altogether new point of view. "That comes of looking after a girl instead of oneself," thought he. Then he felt his képi pushed from the other side; Lu was waking. She woke in a moment, and sat bolt upright on his shoulder, staring at the spiked helmets, grey coats, and fair, bearded faces before her in the unwondering twilight that immediately follows a long, deep dream. Then both the sentries together made a quick movement; the soldier and the little girl were prisoners of war.

An officer, in undress, came from the toll-house. He stood over six feet

high in his boots, and wore a thick brown beard half way down his breast—to Lu, at least, he must have looked a veritable giant from wonderland. His pale, blue eyes were mild and grave, and his bearing was too simply business-like to be called severe. But as Lu's eyes realised the spike helmet, the giant turned into an ogre. Not that she therefore nestled into her friend's neck one whit the closer. On the contrary, she threw her whole self forward, with outstretched fist, and

"Chien de Prusse!" she cried, with all her might and main.

The Prussian dog's face broke into a long, broad, slow smile. "I think it is lucky you are not grown up, little maid," he said, in slow French that Stephen could follow very well. As soon as he had done smiling, he looked hard at Stephen, and said in English,

"You are an Englishman?"

"Yes," said Stephen. "But I'm a French soldier, all the same."

"You are a prisoner, of course. Who is the child?"

"I picked her up in an empty village. She seems to have lost her mother. I couldn't leave her by herself, all alone. I don't know her name. I shall be sorry if she comes to harm."

"Give her to me," said the lieutenant.

Stephen, though with an odd sort of pang at parting with his trouble, lifted her from his shoulder, and was about to hand her over to the officer. Not being a patriot, but only a soldier of fortune, he had no reason to think that the enemies of France were otherwise than men who had been children themselves and had children of their own. Indeed the gigantic lieutenant held out his arms for Lu so much like an expert that Stephen judged him to have had considerable practice in such matters.

But Lu was of a very different opinion. A French child could put no faith in mild eyes and gentle arms when those eyes looked from under a helmet with a spike on it, and those arms were fighting against her country. With her left arm she hugged her bon-bon-box closer to her bosom: she threw her right round Stephen's neck and clasped it till she strangled him.

"I will not go—I will stay with you, Monsieur John! Why do you not draw your sword and kill them all, and take me to maman?"

"I shall perhaps find maman," said the lieutenant. "But I cannot, if you think I shall eat you for my supper, and if I do not know her name. Does she live in Paray?"

"My maman," said Lu, proudly, "lives at Préchac, and my papa is gone away: but he will come back and kill you, if you eat me."

"And what is the name of papa?"

"My papa is Monsieur Carrel!" said Lu, as if she had said, My papa is the Emperor.

"Good God!" cried Stephen, holding her out at arms' length before him, and looking into her face with a gaze that at last seemed to startle her into fear. "Sir!" he said desperately to the lieutenant, "prisoner or no prisoner, I must find this child's mother if she is anywhere on earth—I must find her, dead or alive. Sir——"

"If you have anything to say, you must say it to the Herr Commandant," said the Lieutenant, with a sudden frost of manner.

"I will—I must," said Stephen. "I—when shall I see him?"

"To-morrow morning."

"I can't wait till to-morrow," he cried, all his patience gone. "I must be set free now. Good God, to think I may have reached Préchac too late by one single hour!"

"If foreigners take foreign service, they must take the consequences too. You cannot be taken prisoner as an armed French soldier and then released

because you happen to be an Englishman. We know nothing of Englishmen here. But if your story contains any useful information, rest assured it will be heard. Good evening. Now, little Frenchwoman," he said to Lu, with a sudden thaw in his voice, "you must come with me. I won't eat you: you shall eat me, if you can find room."

But Lu clasped Stephen all the tighter, flashing round at the Prussians as if to defend him as well as herself from them. He hung his head, not knowing what to say or do. Oh, if only Dick were there!

"Sir," he said at last, "I have nothing to tell that will be of the least use to any mortal soul. But may I speak one word to this child?"

The lieutenant paused. Towns may be taken, and battles lost, by letting a child carry a message which means anything but what it seems to mean. No doubt the Englishman was desperately in earnest about something, and he looked and spoke honestly; but good nature was none the less on the unsafer side.

"No," said the lieutenant, not sharply, but all the more decisively.

"That is tyranny," said Stephen, hotly.

"That is my affair."

"But if the commandant——"

"Then that is his affair. Meanwhile—No."

The lieutenant's patience was plainly getting tired; and indeed it is strange enough that under the circumstances it should have endured so long. A sudden thought, a real thought at last, struck Stephen; and he, at least, took it for an inspiration. Did not his uniform jacket contain a name to conjure with?

For once, an honest man made no scruple about tearing open a letter that had been trusted to him; and, for that matter, there was for once no need of scruple, for Stephen Shaw's own sense of right would henceforth prove for his friend's letter a seal stronger than iron. He handed the empty envelope, now damp and soiled, to the officer.

"I'm the last man alive to ask another to do what isn't his duty—wait one moment, sir—but I see you don't want to be unkind to this poor little thing here: because I see that you're a man. Will you give this envelope to the commandant, and ask him if there is any objection to my writing upon it, or having written upon it in any words of any language he likes, 'If you need a friend, seek for Richard Hope, who is—or will have been—a soldier in the Foreign Legion of the French army. Try if this address will help you to find him. If you ever find him, or meet him, remind him of the bargain he made between Clouzy and Paray—he will understand, and will be your friend.' And, sir, for Heaven's sake, ask the commandant, should this child's mother be here, to let you give her the writing: and if she is not here, and not found, I implore you to give it to the child in such a way that she will keep it as a charm, and never part with it, all her life: there are ways of doing that, with a child. You will do this for a woman, and a child. You are a man."

"Pardon me. I am a Lieutenant of the Line. I shall report the particulars of your arrest. Now, Mademoiselle—come," he said sharply to Lu.

Stephen stooped down, and kissed her on the forehead. "Go," said he. "They will try to find mama. They won't harm you. There"—he tried to untwine her arms from his neck—but he was far too gentle with her to succeed: and his heart was too full.

But the Lieutenant, with exactly the right amount of force, not a shade too much or too little, pulled the child's arms apart, held her like a vice padded with velvet, and made a sign to one of the sentries. She only just

found time to put up her face once more to Stephen's and to whisper so earnestly that he scarcely needed to catch the words in order to guess their meaning.

"You shall have This, for being good to me!"

She thrust something into his hand. As he was led into the toll-house, he looked at it—it was only the *bonbonnière*.

THE GREAT THIRTEEN.

SOMETIMES, when Miraim slept very soundly, and dreamed very deeply, so that she was carried on a voyage back to that wonderful country where we seemed to live before we were born, she seemed to see the midnight sunbeams flashing back from cuirasses and bayonets, and to hear clashing music unknown to her waking ears. When she did not sleep very soundly—that is to say, whenever she was awake—she heard the scolding voice of Madame Jacquard. That was when she was quite a little girl. As she grew older, the dreams grew fainter, and she became more used to the smooth tones of Monsieur Jacquard. And she could never make up her mind which sound she most disliked to hear. Whenever she heard Madame, she preferred Monsieur: whenever Monsieur spoke to her, she infinitely preferred Madame.

It was very ungrateful of her, for she had been entirely brought up by the benevolence of Monsieur and Madame Jacquard. Benevolence does not ensure the merit of a pleasant voice, nor even that of a pleasant temper, though nothing could be said against Monsieur on the latter score. Why they brought her up, she being no child of theirs, she did not know; nor, for that matter, had she ever asked the question. It is strange that habit did not reconcile her ears to their voices as well as her eyes to their faces: perhaps she had singularly sensitive ears. For that matter, it was not easy for anybody to grow wholly used to all the tones of Madame's voice when she was in a temper—she seemed to have three hundred and sixty-five scales for scolding in, with an extra scale for leap year. But with regard to Monsieur she had less reason for disliking his way of speaking, which she could never get used to though it seldom varied and, though a Frenchman's, never rose. Most people would have called his voice very sweet and pleasant: most people who knew him wondered how it was that he had taken to wife such a woman as Madame. He was suave, gentle, and elegant in dress and person; she was altogether fat, vulgar, and loud. But there is no accounting for tastes; and taste need not have much to do with a Frenchman's marriage, however much it may regulate the conduct of his life in other ways.

For the rest, Miriam had not much to complain of. Madame scolded her; but then Madame scolded everybody, not excepting Monsieur, who did not always take the trouble to bridle her by one look or by one soft spoken word. Monsieur Jacquard, on the other hand, not only never scolded her, but was even positively and actively kind to her, in a peculiar way. A stranger would have wondered a little at the amount of time he spent upon the girl. He was her teacher and her playfellow. He taught her how to play cards, and himself played at them with her. Nor were they at all common-place games that he taught her, such as children or even such as grown-up people learn. At thirteen she could tell every trump in a suit by looking at its back, as if pasteboard were glass, or as if she had a second pair of eyes on the opposite side of the room. In other respects,

had she thought about the matter at all, she would have thought, as indeed would anybody, that Monsieur Jacquard was a highly accomplished person. Except fall out of temper, there seemed to be nothing he could not do. He could sing a little, play a little, and was an amateur conjurer of no mean order. Unlike most modern Crichtons, however, his habits were of extreme regularity, only differing from those of less accomplished people by making day and night exchange duties.

The Jacquards lived, for short periods together, sometimes in one town and sometimes in another; and this was of great educational advantage to Miraim, who was as quick in picking up a new language as in picking up and laying down the right cards. English was yet to come: but she could already speak French, German, and Italian unlike a native of any of those countries. For the rest, one country and one town was very much like another. She seldom came across a playmate, and when she did it was not for long. She saw a great many grown-up people, however, and these also were very much alike everywhere. Her own sex was principally, indeed almost wholly, represented by Madame. But men, old, young, and middle-aged, came most evenings to see Monsieur after his evening breakfast, and one and all followed what alone represented to her the one serious occupation of life—namely, card-playing. They used to work at their work hard and with all their might, one and all, and sometimes Miraim was waked up from one of her military dreams by the rattle of dice, which had no doubt been transformed by sleep into a rattle of arms. Madame never appeared at work time. But Miraim herself was often allowed to sit beside Monsieur, even late at night, and watch the play. And, being herself an adept, she observed that while Monsieur himself played well, the greater number of his visitors played exceedingly badly. And she noticed, also, that even Monsieur himself did not play always equally well. He was rather prone to keep on losing at the beginning of an evening, and then to recover his wits rather suddenly. On the whole she liked these evenings. The guests were very good-natured people, especially when they won, and used to take a good deal of jocular notice of the little girl who used to sit beside Monsieur Jacquard till bed time. Once or twice—for her eyes and her wits were just as sharp as a pair of needles—she thought that some visitor looked at her oddly—gravely, that is to say, and a little sadly and pityingly, just as she had herself looked at a pet kitten when it was for the first time in its life set to the work of mouse-catching.

One day, either in France, or Italy, or Austria, or in some other country, and in some town or other, she happened to be in the salon rather earlier in the evening than usual, so that the guests as yet were few. A great many would arrive a little later on, for at no place had Monsieur gathered round him a larger circle of friends, nor at any town had she remembered their making a longer stay. Among the earlier arrivals was a handsome young man whose moustaches had interested her for several evenings: she knew him much better by these than by his being Count Adolf von Hatzfeldt, a young officer belonging to an exceptionally rich as well as noble family. She had now watched these long, fine, fair moustaches drooping over her father's table for seven evenings together, and had taken rather a fancy to the bright, boyish eyes of the face whence they fell. It was the gallantest and honestest face that she had as yet seen. Yesterday evening, by force of habit as well as by sympathetic attraction, she had kept her eyes particularly upon Count Adolf and his play, and noticed that he both staked and played with a recklessness of which she would have been ashamed. No doubt lookers-on—especially when so intelligent as Miraim—have the best view of any game, whether it be of love, politics,

war, or cards: but while his dash and courage excited and fascinated her, his wild blunders exasperated her into longing a hundred times to run from her seat, take his cards from his hands, and show him what play really means.

The game just then in vogue among Monsieur Jacquard's friends was Grand Treize—a game of cards which, as too large a part, but happily not the whole, of the world knows, calls for an unusual combination and alternation of the coolest boldness with the most exquisite and patient discretion. It is a little too difficult to have had a very long supremacy, but it had always, and still has, a considerable body of devotees who find simplicity far less exciting and infinitely less ruinous in the short run than Grand Treize. Just at that period it was more than a vogue: it was a passion.

"Good evening, Mademoiselle Lu," said Count Adolf. "Lu" had been Miraim's nickname ever since she could remember herself, and had stuck to her always and everywhere.

It was the first time he had spoken to her: and there was something in the young man's smile and voice that made her heart open to them as if they were sunbeams. And besides, though he called her "Lu," like everybody else, he mixed some of the deference due to a young lady with the manner of a young man to a child. It was her first experience of courtesy: and she liked it none the worse for its novelty. It even prevented her feeling very shy—and shyness, in spite of her way of life, was just beginning to trouble her.

"Good evening, Monsieur."

"Thank you—if by 'good' you mean 'lucky,' Mademoiselle Lu. I should like a little bit of luck to-night, if you please."

"Ah, Monsieur, it isn't luck that you want," began Miraim boldly—for her thoughts had been exercising themselves all day, on and off, about the young Count's style of play, and her maxims were burning to be told. "It is——"

"Good evening, Von Hatzfeldt," interrupted Lieutenant von Grabwitz, throwing her a nod as if she were a nobody—very different courtesy from Count Adolf's, who would now lose the benefit of this child's experience in the science of Grand Treize. "How goes it? You were hit hard last night, I hear. Is it true?"

"So true, lieutenant," said Count Adolf, lightly, "that I am here to-night to fight a duel with Fortune *à la mort*—she or I."

"They say you lost eighty thousand florins. Can that be true?"

"Not a bit of it—nothing near."

"I'm glad——"

"That I lost over ninety thousand florins?" The lieutenant shook his head and shrugged his shoulders, as Count Adolf smiled brightly and crossed the room to get some champagne. Most of Monsieur Jacquard's friends drank a great deal of champagne: though some few—including the host himself—never touched it at all.

"He takes things coolly," said the lieutenant to old Baron von Aszling, who came up just then and patted Miraim on the head in an abstracted and grandfatherly sort of way. She was listening with all her ears; but she shook back her curls sharply as if to throw off the pressure of the Baron's fingers.

"Who?" asked the Baron.

"Von Hatzfeldt."

"Why shouldn't he?"

"He's just owned to losing ninety thousand florins last night."

"Well, lieutenant, I wish I could stand it as well."

"Yes, that's all very well once in a way. But the night before he lost seventy thousand ; on Friday a hundred and twenty thousand ; on Thursday—I forget how much on Thursday ; on Wednesday——"

The Baron turned, and looked across the room to where Count Adolf stood laughing, chatting, and drinking champagne.

"And to-night," said the Baron, slowly and reflectively, "he will lose just one florin—and that will be his last. I see. Poor Adolf. I always told him what would come of champagne *chez* Jacquard."

"Hush !" said the lieutenant, just pointing to Miraim—as if anybody could breathe a whisper or make the smallest sign unseen by her. "We're talking of von Hatzfeldt, are we not?"

"And we'd better make the most of the chance—we shan't have many more. Let's see—how many days does one talk of a man who's lost his last florin—one day or two?"

"I'll get him to go home," said von Grabwitz. "He's too good a fellow for this sort of an end. I know what he means by fighting fortune *à la mort*."

"What? Charcoal?"

"No. That's too slow for Adolf. Gunpowder, I should say."

"I'll lay you a hundred even florins that, if it's either, it's charcoal."

"Done, Herr Baron. A hundred even florins that, if it's either, it's gunpowder."

Miraim, who had no sense of humour, crossed the room to Count Adolf, and touched him gently on the arm. He looked down, and noticed for the first time that she was likely to grow really pretty one of these days. The earnestness and eagerness of her lips and eyes made her look almost pretty, even now.

"Stoop down a little, Monsieur. . . . Don't play to-night."

"Not play to-night. Why?"

"Because—because—." It was only an impulse, or rather an instinct, that had spoken through her, and now that it had done its whole work, it had left her without an answer.

"Do you know of any real reason," he asked more seriously, "why I should not play?"

"Because—because—you will lose."

"Very likely, Mademoiselle, that is the fortune of war. But my own opinion is that I shall win. In fact, I know I shall. I have come to win. Luck has been against me six nights running. That means, Mademoiselle, that it will be with me the seventh time."

"Ah, Monsieur, it is not luck that has been against you."

"What is it then?" he asked a little sharply : for her manner seemed to imply that he had been contending against people to whom luck is not merely a friend, but a slave. And a gambler is always ready to listen to anybody—even to a baby—whose words cannot possibly be worth listening to.

"Yourself, Monsieur. You do not play Grand Treize well enough to win."

If you tell a player of Grand Treize that he does not play well, either you make a mortal enemy or, if he be of another temper, he stares at you in as blank amazement as if you told him that he was standing on his head instead of his heels. To feel insulted by Miraim was of course out of the question : so the stare was only tempered by a smile of amusement at the notion that he who held himself, as a matter of course, to be the finest player in the room, should be accused of want of skill by a child.

"Why," he said, "one would think you had played Grand Treize yourself——"

"So I have, Monsieur."

"With your doll?"

"I never had a doll, Monsieur."

"*Gott im Himmel!* No doll? Then you've bound me to win now—for I must buy you the finest doll that ever was seen, if it's only because you're kind enough not to want me to lose. *Gott im Himmel!* You don't mean to say at your age that you've been playing with cards instead of dolls?" That odd look of pity came into his face which had puzzled her now and then in other faces before.

"I often play with Monsieur Jacquard."

"So! And do you ever win?"

"More often than not, Monsieur."

"There it is, you see!" he said, with a sudden and eager change of manner. "Monsieur Jacquard is a fine player: no child—I mean nobody of your age could hold a hand with him unless she had the devil's own luck and some of her own into the bargain. I am a far finer player than Monsieur Jacquard, and he beats me: he must be an infinitely finer player than you, and yet you beat him. I wish I had your luck, Mademoiselle Lu, as well as my own skill. . . . You have never played for money, I suppose?"

"No, Monsieur. Only to pass the time."

He began to think she was a very strange child for her years, with her eager eyes and her grave, grown-up way of speaking: but he had too much to think of just then to find time for being touched by the thought of what her life, in that atmosphere, must be, or of what it must in the fulness of time become. "It's clear that Monsieur Jacquard doesn't mean to fall out of luck's way by letting his fingers get rusty," he said to himself. But his head was running upon that oddest and absurdest and yet most suggestive in the long list of gamblers' superstitions—that the partnership of one who has never been tainted by playing for gold ensures good fortune, on the principle that the Play-demon makes a point of encouraging a novice at first starting. He was in the very mood and condition to catch at such fancies, for the jest of the lieutenant and the Baron had expressed the literal truth about Count Adolf von Hatzfeldt. His was the light heart of a man who is "fey," and who, while resolutely foreseeing escape from utter ruin at last, knows, deep down, that he will have to choose to-morrow morning between social and moral ruin and the momentary pain of dying.

"If you will sit by me to-night instead of by Monsieur Jacquard," he said, "and if I win back no more than a thousand florins, you shall have the handsomest and loveliest doll in all the town."

She turned away mortified. To have done her best to save this man from ruin only to be asked to help him on the road there, and to be bribed by the gift of a plaything!

He understood half her thought—perhaps its larger half. "A thousand pardons, Mademoiselle. I meant gloves—on my honour. I only want to feel that I have luck beside me. You don't mind sitting by me?"

"I will not, Monsieur—no, not for all the gloves——"

"What—do you want me to lose? I thought—Why, what is the matter, Mademoiselle? I did not mean to vex you: I would not, no, not for all the florins——"

"It was the gloves that vexed me."

"But I must give you something. That, for to-night, is my luck-lime. If you don't like gloves, say anything you please—only something it must be."

"You will give me anything I please," she asked eagerly, "anything I ask, if I sit by you instead of Monsieur Jacquard?"

"The old story," he said to himself, with a slight frown. It was not that he grudged her, or any woman, the diamonds that no doubt she would ask for, but it was surely hideously soon for the most precocious of children to play at that game. It would be time enough for that, say in three years. "I have said, anything," he said: but stiffly, beginning to feel that in dealing with Mademoiselle Lu he had made a very decided mistake in fancying that he had to deal with a child.

"I will sit by you then till bed-time," she said.

"And your stake is?—"

"I will tell you that, Monsieur, when—if—you win."

"As you will, Mademoiselle. But I *shall* win, never fear." He poured himself out another glass of champagne.

Miraim again laid her hand on his arm. "Monsieur——"

"Well?"

"Champagne is not good when one plays Grand Treize."

"Champagne, Mademoiselle, is good always and everywhere." He drank, and set down the glass; and then took his usual place at the table, nearly opposite to Monsieur Jacquard.

"Miraim!" said the latter across the table, in his clear, soft voice, "where are you going? Come here."

"Not a bit of it!" said Count Adolf, pleasantly. "Mademoiselle Lu and I have discovered that we are kindred souls, and do not mean to be parted before we have undiscovered it again——"

"Ah, well: that is a process that does not very often take very long," said Monsieur Jacquard. "I only want to say a word: she shall sit where she will . . . she is only a child. Come here, Miraim," he said to her in a whisper, as she stood at his elbow, "why are you going to sit with that young fool?"

"Because he asked me."

"What did he say to you?"

"That if he wins a thousand florins he will give me anything I like to ask him for."

"Eh—anything you ask for? You are a good child: yes, you will go far. Go and sit by him: he shall win one thousand florins—have no fear."

She went back to her seat, and the play began.

For some time, as indeed often happened at Monsieur Jacquard's, no very striking points were made. It was a little remarkable to Count Adolf, however, and even to Miraim herself, that, though he had made no change in the style of play, a certain moderate amount of fortune favoured him. As every player will allow, the game of Grand Treize is too complicated to follow out without being unduly technical. Enough, for the present, that Count Adolf's winnings kept steady on the whole, and kept growing. Presently Miraim saw what she had never observed when she had been watching him lose: a sparkle of excitement in his eyes which the habitual coolness on which he piqued himself and, when he lost, with good reason, could not wholly conceal. It is far easier to lose with a good grace than to win. But probably nobody noticed the dangerous gleam except Miraim. Everybody else was far too deeply absorbed—unless indeed it were Monsieur Jacquard. But then he always noticed everything.

"Count my winnings for me," at last said Count Adolf to Miraim, and went on playing. She drew the heap of coins and notes to her and counted. "Eight hundred and fifty florins."

"Now do you see that I play well enough if I've only got a little luck to make play tell? Ah—quatorze: Grand Treize!"

And so things continued, till he said,

"Count again."

"Nine hundred and seventy-five," said Miraim—herself beginning to feel the touch of the Play-demon's finger-tip upon her.

In a minute more he was throwing down a card, when once more she laid her hand upon his arm.

"You have won back a thousand florins," she whispered.

"One thousand? Then here goes for two thousand." And he threw down the card.

"Monsieur! You—you promised me anything I asked when you won one thousand."

"*Sapperment!* And I'll double it, whatever it is, when I've won back two. You are the very goddess of fortune, Mademoiselle. I can hear your wheel turning round."

"Monsieur," said Miraim, quietly, still with her hand on his arm, "I ask you for your promise not to play Grand Treize any more."

He turned round upon her with a short laugh, and the spark of light in his eyes turned into fire.

"What—and break the best run of luck I ever saw? Why, I've been cursing my ill-luck all the while that I had to stake so low. I can go on now, thanks to you. Why, at this rate I shall win back last night; I shall win back the whole week, for aught I know. Trust me, I shall know how to stop when the right time comes. But to stop now! It would be madness; it would be a sin and a shame."

"Monsieur——"

"Don't hold on my arm, Mademoiselle. It was something for yourself I promised you. Diamonds, anything; but to break a run of luck—No."

Miraim knew at once that she might as well speak to a hurricane. She had seen such winds as this blow in that atmosphere before now. She could only sigh, and sit still; but she could not withdraw her interest in the young man's play. She felt afraid for him, and, for the first time since she could remember, drawn towards any human being. Perhaps she would have cared about him less had he coldly kept his promise, and been content at her first word to put up with what, after all, had been the comparative trifle he had wrung back from fortune. It was his dash and recklessness that had attracted her hitherto, and she admired while she grieved. No wonder that people had sometimes looked at Miraim sadly.

Nobody else had taken note of this little drama, for, as yet, Count Adolf's stakes and risks had been necessarily far too small to be generally interesting. For a little longer yet the Count kept on winning: till presently, during a pause, Monsieur Jacquard nodded across the table:—the usual warning to Miraim of her bedtime.

But she could not see it: or would not, rather. A feeling, or instinct, of womanly guardianship over the handsome young Count was rising up in her, such as she had never had the chance of exercising, save on the kitten who had prematurely become a mouser—such as perhaps Count Adolf himself might turn out in time. For the pigeon is the apprentice of the rook, as all the world knows.

"Miraim!" said Monsieur Jacquard, finding his signal unobserved.

But she was, for once, deaf as well as blind: and Monsieur Jacquard had to attend to the game again.

It had been an ill-omened pause.

Count Adolf's next few coups resulted in loss. Then they recovered

themselves a little, and then balanced themselves see-saw fashion. But then, as if her influence on his fortunes was leaving her, or as if by way of penalty for a broken promise, came back his old bad luck—as he called it—sharp and hard. Nothing seemed to go right any more: and it made her heart ache to see the glaring badness of his play. It is true he had played no better all along: but hitherto undeserved good fortune, in the person of Miraim, seemed to have been working miracles for him.

It is maddening, to those who care a single straw for such matters, to see a man losing coup after coup by perversity, while we can tell him at every point what he ought to do and yet cannot interfere. Surely if luck was sitting by his right hand, ill-luck must have been sitting by his left, and having its innings. Before long not only had the thousand gone, but more.

"It is your play," she whispered to him, or rather sighed in his ear, during another pause.

"It is luck," he said, upbraidingly. "But never mind. Since luck has come once, it will come again."

"I wish—I wish you had kept your promise to me."

"It was impossible. And I'll defy anybody to tell me how I could have played better with such cards."

"You keep on losing."

"We shall see."

They did see. Whatever remained from his losses of last night was following the gains of to-night to swell other piles. Miraim caught a look that passed from the lieutenant to the Baron, and was answered by a lifting of the shoulders. She glanced timidly at Count Adolf. The light had gone from his face, but he showed once more that he knew how to lose better than how to win: he was very calm, though very pale. Her heart sank: for she was beginning to understand the meaning of such signs.

"What will happen if you lose all you have to-night?" she whispered. It was a stupid question, and she knew it: but he could not think so when he looked down and met her anxiously pleading eyes.

"You—you are a dear and good little girl, Mademoiselle Lu. I don't like the idea of your sitting here night after night: it isn't good or right for you. You want to know what will happen if I lose to-night?" He lifted his shoulders, like the Baron.

She thought of the wager: and his gesture answered her.

"Monsieur."

"Well?"

"You don't like me to say you play badly, but you do. And, Monsieur, you say you believe in luck, and that I am lucky. Perhaps—perhaps it would make the cards lucky if I look at the card you are to lay down."

"What an idea! That would be trusting to luck with a vengeance—but—well, perhaps it's not so absurd when play breaks down and there's nothing left but chance to trust to. Fortune befriends those that trust her, they say—she ought to be a double friend to those that trust her blindfold. Let us try it—though it will be like turning Grand Treize into heads and tails." His face began to brighten again.

"Always pass your fingers over your cards before you play one. Play the card your finger is on when I touch your chair."

It was a new and therefore an exciting sensation to this ruined gambler to play a game requiring as much skill as good fortune on the principle of playing whatever card the blind chance of a mere child's finger might direct him. But if this was in truth to be the last game he was ever to play alive,

the gambler's hunger needed that its last feast should be a full one. Chance, all chance, and nothing but chance is the fitting arbiter of such a last duel with destiny. In such a case, desperation is luxury.

"I have staked my last florin," he said to Miraim. "The touch of your finger must decide what the rest of my life is to be."

Surely no gambler was ever before at such a climax of sensation as to feel that life and death hang upon the chance touch of a young girl's finger upon the back of a chair. Surely no girl, before or after, felt such a responsibility as a man's life at the ends of her fingers. But Miraim accepted it simply and gravely. She looked heedfully round the table, and made a quick, firm pressure on the back of Count Adolf's chair so soon as his finger touched a card which lay before him with his others, face downwards.

It was like a miracle. In a short half-hour the blind-fold player, who left everything to Miraim's lucky touches, had recovered thrice what he had lost, and more. Gold was flowing back upon him in an unbroken river: and once, when Miraim happened to glance across the table, she saw a new and a bewildered, almost scared look on the usually imperturbable face of Monsieur Jacquard.

In a few minutes more the whole table knew itself to be in for one of those great nights which make up the romance of the mostly dull and monotonous history of the green board. Fortune seemed to have suddenly gone mad, and to have hurled herself and all her favours *en masse* into the arms of him who had trusted her more blindly than any man had ever trusted her before in the history of Miraim's world. An eager silence came over the whole room—next to being the hero of such a run, a man likes to see that it is possible for any man. Such a run is the arch-bait wherewith the Play-fiend covers his fishing-hook. Still the minutes ran on, and still each, for Count Adolf, was golden. His own excitement had long passed the stage of fever-heat, and had settled down into the triumphant calm of one who feels confident that, whatever he may do, Fortune has proclaimed herself openly on his side.

Count Adolf began to think Mademoiselle Lu a witch, so far as he thought anything. Some of the guests had retired from the table, and were watching the cards with greedy fascination. Monsieur Jacquard was winning, on the whole, from others, but only to pass on his winnings to the hero of the hour. He still looked bewildered, but made no attempt to interfere with Miraim's presence—no doubt he had forgotten her existence in the excitement. And still the gold flowed in. There seemed a magic in the cards. However wildly and against all rule the young Count played, everything seemed to sort itself with a view to his safety or gain.

But there must be a limit at last to all things. Monsieur Jacquard rose. And he, unlike the Count, did not bear losing so well as winning.

"Play shall be over to-night," he said, "for me. You shall go on if you will, you others. I do not pretend to play Grand Treize with Monsieur Satan."

"What have I won, Mademoiselle Lu?" asked Count Adolf, wearily, with every particle of brightness gone. "Count it up for me, and keep half to buy yourself gloves or dolls or anything you please."

She flushed up angrily. "I cannot count, Monsieur," she said stiffly. But she changed in a moment. "I am so glad, Monsieur!" and she looked triumphantly across the table at the lieutenant and the Baron.

"I beg your pardon," said Count Adolf, colouring a little in his turn. "I ought to have said 'Thank you,' Mademoiselle, and nothing more."

"Not one thing more, if you please, Monsieur—except that you will keep your promise to me. For now—you see that luck is nothing, after all, in Grand Treize."

"Nothing? What can you mean? I never heard of such luck, since I knew a club from a diamond."

"Not at all," said Miraim. "I made you play as you ought to play—as Monsieur Jacquard plays, when he plays well, but not so well as I. He is not so quick in the eyes, and he forgets now and then. Ah, Monsieur," she went on, no longer feeling the least timidity before so bad a player, not to speak of her having been his guardian angel, "you make one great mistake in your Grand Treize. You never look at the backs of the cards. You will never win, with your play, if you do not look at the backs of the cards."

"The backs of the cards? I wish you'd tell me what you mean, Mademoiselle. I'm too tired for anything."

"*Mon Dieu!* Don't you know?"

"Not I."

"And he plays Grand Treize—*mon Dieu!*" exclaimed Miraim, casting up her eyes and her hands, as if ignorance, imbecility, and presumption must needs be concentrated in a man who plays Grand Treize without looking at the backs of the cards. "See here, Monsieur," she said, with the condescension of an expert to a tyro. "You see these little dots in the pattern? They are made with a pin. If you have good eyes, and look round the table, you can see what all the cards are in all the hands without seeing their faces: and you will remember them. Then you can tell what to do. That is Grand Treize."

"What!" cried Count Adolf, starting up with an oath. "You say that we play here with marked cards?"

"Assuredly, Monsieur!" said Miraim, amazed in her turn.

"Gentlemen!" shouted Count Adolf, with a thundering blow on the table that made the gold leap and ring, "It seems I am a cheat and a blackleg! It seems I have been winning with marked cards. If any of you wants satisfaction I will give it him. Meanwhile, let everybody who has lost take back his own; there's the money. And let everybody who has won, if there's any but myself, help me throw Monsieur Jacquard out of window."

Poor Miraim! She saw and heard nothing of the Babel that followed; it was only her heart, and not in the least her head, that had caught the drift of a single word Count Adolf had proclaimed to the whole room. She had played the game as she understood it, and as Monsieur Jacquard understood it, and as she had believed it to be understood by all the world; that is to say, as a game of pure skill, in which the quickest eyes, best memories, and readiest powers of combination find their natural advantage. A cheat; a blackleg? What could he mean? And yet she knew.

The look that Monsieur Jacquard threw his pupil and betrayer she would never forget to her dying day—that look was thrown by the whole vile soul of the man. So vile was it that it almost gave her a sort of scornful courage; and her answering look went after him as he moved to a part of the room where anyone who followed him must take the trouble to climb over a table. Violence of some sort would most surely have followed—for drink as well as gold had been flowing about freely—when the voice of the old Baron von Aszling was heard quavering above the din.

"Gentlemen," he said, with a note of mockery in his voice that gave it all the authority of a sneer, "one would think we had never heard of a card-sharper before. I have: I have been acquainted with many. No

doubt it will be an act of justice to throw Monsieur Jacquard from the window. Let us do it then—but calmly, and as an act of justice, not of anger. Let us do so. Let us enable him to be found to-morrow morning by the police with a broken leg or two. Let us make up our minds to face inquiry and rumour. Let us permit all our good friends to say that our friend Count Adolf von Hatzfeldt was caught winning at Grand Treize with marked cards. Excuse me, Count, no one who knows you will doubt you: but the many who do not know you will believe your confession and not your explanation—it is the way of the world. Let us permit all our friends, and enemies, to assert that we are all in the habit of playing with marked cards—they will say true. But, for justice's sake, let all be done. Do you, Herr Lieutenant, prepare to give up your career. Do you—but why should I continue? It is quite clear that everything we prize is worth giving up for breaking one of Monsieur Jacquard's bones. Of course, if we break his neck, all the better—somebody, for justice's sake, will be tried for murder then. Come on, gentlemen. What—will none be a martyr? Then will not I. Good evening, gentlemen. . . . Let the knave go in peace for our own quiet's sake: be sure that if we don't throw him out of window now, somebody else will, all in good time."

It was clearly the voice of prudence: and, for once, it was obeyed. Count Adolf, indeed, could lose nothing, because he no longer had anything to lose: but he could hardly, in his present tragic mood, overstep the threshold of the ridiculous by climbing over a table after a cowering card-sharper, and it was not for him to drag into a public scrape the acquaintances whom he himself had been plundering. He left the room without another word, leaving the others to take back each his own, as they best might, from the heap of gold and paper in front of his chair. The Baron and the lieutenant nodded at one another meaningly as he went away. The Baron's nod meant "Charcoal:" the lieutenant's, "Gunpowder."

But Miraim was at the head of the dark stairs before him.

"Monsieur!" he heard her voice—it seemed to be stifled in the darkness. He would have passed on, but a sudden storm of sobs held him against his will.

"Come—it is not your fault, my poor child."

"The Baron—said—you—nobody would—ever doubt your word," sobbed she.

"No, Mademoiselle. He said that nobody who knows me would doubt my word. Come——"

"I do not know you, Monsieur. But I don't want to doubt——"

"It is no matter. Do as you please, Mademoiselle."

"You have called us cheats—thieves. Have you the right to call us names when you make a promise and break it? Is it not to cheat and to lie? You won one thousand florins without the backs of the cards. You—you promised to give me what I would, Monsieur. It is your word not to touch a card again, all your days."

"I promise—there. All my days won't be many, I fancy," said he. "A man without a penny isn't likely to be much tempted, for a few days. Good night, Mademoiselle.—Adieu. What—aren't you satisfied? I promise you—on my honour."

The poor girl had but the dimmest notion of what honour means, though her life among rogues and their dupes had necessarily made her well acquainted with the name. But her heart to-night was waking: and to wake is to be inspired. Her brain did not know what she meant when her heart spoke out,

"A coward has no honour, Monsieur."

She was only a child—but that did not prevent his flushing hotly. "A coward?"

"Yes, Monsieur. A coward. You are afraid to live, because you cannot play Grand Treize. I want no promises from cowards. I despise cowards," she broke out, with her woman's heart wide awake in her. She stamped her foot—and then she seized his hand in the dark, and her tears burst out anew.

"Ah—you mean I am going to kill myself?" he said sadly. "What makes you think that? And, if I were, what is that to you?"

"I don't want to think of the only man who was ever good to me as a coward; that's what it is to me. And why I think it: the Herr Baron said it, and the Herr Lieutenant said it too."

"The Herr Lieutenant and the Herr Baron?"

"Yes; the Herr Baron bet a hundred florins you would kill yourself with charcoal."

"And the Herr Lieutenant?"

"He bet you would kill yourself with gunpowder. They both bet that you are a coward, Monsieur. And you ask me to believe you on your—honour!"

"My poor little girl! So you don't want to think ill of me? And I don't want you to think ill of me—*Gott bewahr!*—That's a curious wager, by the way. It strikes me the Herr Baron would win in either case—gunpowder is charcoal. I wonder how that question would be settled. It's almost one's duty to shoot oneself, just to know!"

"Oh, Monsieur? It would be such a brave thing," she cried out, clasping her hands, "such a brave, great thing to live just to show that one can keep a promise up to the very end! That's what I would do—if I were a man."

"And I believe you would, too . . . Mademoiselle Lu . . . ?"

"Eh, Count Adolf?" suddenly broke in the Lieutenant. "Bad luck at cards, good luck in love, eh?"

The light from the room showed Miraim to the Count, as she stood there with clasped hands and eager, tearful eyes. It seemed to him for the moment as if an angel were trying to lead him by the hand from a den of foul and mocking fiends. Some of the old light came into his face once more.

"I hear, Herr Lieutenant, you have laid a wager that I shall die by gunpowder. Is that so?"

"Bah, my dear Adolf, a joke's a joke—"

"So? Then—in all gravity—I lay you a thousand florins that I shall die a natural death: or, if otherwise, by some accident beyond my own control. Are you content now, Mademoiselle? Do you think I shall keep my promise now? And I will too, God helping."

"I am content. Yes, Monsieur. I do believe you will try to win a wager," said she.

She meant no sarcasm. She meant just what she said, and no more. But it was a sharp blow, all the same—no man who had not forgotten how to blush would forget it till he died.

PART II.

At last England also had been added to Miraim's experiences of travel, and English to her many tongues.

But England, though but a little country, is large enough to hold a thousand worlds. To some fortunate men and women she is the sweetest and kindest as well as the loveliest of worlds: their hearts can never contrive to unrobe her of her dress of April-blue, or to divide her from the twin chorus of rooks and sheep, and from the scent of hawthorn, wall-flower, and fallen leaves. To Miraim, England was represented, wholly and solely, by Bean-street, Soho. One need not dwell upon the contrast—the picture has been drawn in three words.

Since Miraim's first public display of skill in Grand Treize, the fortunes of the Jacquards had been many, and various also, except in the one monstrous aspect that they had all been down hill. For that matter, she came to learn, as she grew in years if not in wisdom, that her guardian had once upon a time been even a greater man than a card-sharper who practises in high society. His whole history was past learning—no doubt Monsieur himself had forgotten full three quarters of it—but it was certain that his name had once been well known in the days when France was ruled by Paris, Paris by the Bourse, and the Bourse by the Count de Morny: and that he had at least once had the direction of a theatre. Still from such positions as these to a professorship of Grand Treize the fall had not been so very far. But from a professorship of Grand Treize to a lodging in Bean-street—that was a fall indeed. Not much was to be made except by dominoes: and not much even by these.

Madame's tongue was not worn out yet; it had only been sharpened, not weakened, by the grindstone of adversity. It is needless to say that Monsieur had not changed for the worse—that was one of the very few really impossible things. Miraim alone of these three had certainly not improved. Certainly a girl who has to try to grow up during a family march down hill has not many chances in her favour. Her body had been sometimes nearly starved, her mind not far from quite, and her morals altogether. One can hardly help wearing into a sort of shadow between two tempers like those of Monsieur and Madame—his, all frozen oil, hers, all boiling vinegar. But a mind need not be well fed in order to learn a great deal about a great many things, and quick eyes, quick ears, and quick wits, if kept from proper food, have a way of helping themselves to whatever comes in their way.

It had not as yet occurred to her to ask of what use she was in the world, or whether life under any conditions is worth living, so that her nature, at its root, must have been a little wiser and healthier than might have been expected. But if she had asked them, they would have been hard enough to answer. She did little enough; most people would have called it nothing, and others play. Monsieur Jacquard no longer taught her how to make ingenious pin marks on the backs of cards, but he taught her a great many other things. In the first place, he taught her to detest him most cordially. She had a good, warm, natural talent for detestation, which is the makeshift of a natural talent for loving, and he somehow brought it to such a pitch that, by comparison, she almost adored Madame. In the second place, he trained her fingers to be as quick as her wits, or nearly. He was a patient man in his processes, if too impatient for his ends, and he must have seen capacities in her which would some day make her of use in the world—to Monsieur Jacquard.

One day's life stood for the life of all days. She was roused early by the tongue of Madame Jacquard, which no less in regularity than in noise resembled nothing so much as an excellent alarum. She dressed at once; of her toilet appliances the less said the better, but she made the best and utmost of them. After bread and coffee, and until Monsieur appeared, she made her fingers go through an infinite number of rehearsals for him. If he had found them sluggish, he would not have scolded her or beaten her, but he would have made her remember the look he had given her when she had spoiled for him the best game he had ever played. She was no coward at heart, but she feared Monsieur Jacquard. He always gave her the feeling that some day, for some trifle, his smooth voice would turn into a dagger or a scourge. Regular meals were unknown: Monsieur never appeared at them, and their time and nature depended partly on the immediate condition of the household treasury, partly on the humours of Madame. Somewhen in the afternoon Monsieur appeared from his bedroom, and serious practice continued till he felt hungry. Then he disappeared for the rest of the day, and Miraim, till she was sleepy, went on practising because she had absolutely nothing else to do. Now and then little events of course would happen to break this dreary monotony of days, weeks and months, but they were never of a kind to be worth recording. Some half-dozen times Monsieur had brought home a young friend with him to play cards instead of dominoes: and after these occasions the household treasury was a little fuller for a time. She pretty well understood the nature of such games now, after her enlightenment on the subject of Grand Treize: but, if the truth must be told, she never felt called upon to interfere. She had been interested in Count Adolf, of whom she still thought now and then, but her interest had been strictly personal—she could not extend it to the very dilapidated, broken-legged pigeons whom alone Monsieur Jacquard seemed able to trap in these degenerate days. One young Englishman came indeed no fewer than three times: the third time he drank too much brandy, and tried to make love to her according to his nature and to his conception of what making love means. As soon as her premature knowledge of evil compelled her to guess what he was about she left the room and, for the first time in her life, sought of her own will the society of Madame Jacquard. In a few minutes, however, Monsieur followed her.

"You will come back and sit with us, Miraim," said he. "Come—don't you hear?"

"No," she said. "I cannot hear that. I must stay with Madame."

It was the first time she had dared to disobey that voice of his in which he had found the secret of the snake's charm over her, which commands because it is hateful. Even now he almost fancied, since her disobedience was so quietly spoken, that she had really either not heard or had failed to understand.

"Miraim," he began, raising his voice ever so little; but Madame herself thrust her fists into her ribs and broke in—

"Yes, Isidore, and I say it, I that she *shall* stay with Madame! I say there are things she shall not do; and you may be a thief and a mouchard and a pig all you please, if you like to starve us all that way instead of by honesty, but I've not taken that girl from her dead mother to let her go that road. You are a tiger, and a pig, and a cannibal, and a viper, and a Prussian; you are a——"

"Then, Madame, she shall come and sit with a menagerie. Come."

Miraim reflected for a moment: and then followed Monsieur Jacquard without a word. His friend was sitting over the cards and examining

them stupidly. She went straight to him, and before Monsieur Jacquard could interfere, said,

"You may look at those cards, well. It is the only pack in the world that has eight aces, Monsieur."

"Eh—what?" He shuffled the cards about. "Only four——"

She was just turning up the table-cloth on the side opposite to him when Monsieur threw her the old look—how welcome for once!—and said,

"Go down to Madame Jacquard!—Practise your conjuring tricks elsewhere."

But, for once, he had managed to lose the least atom of his temper: and he had let a harsh note in his voice betray him.

She went, and did not know what followed—except that Monsieur's latest friend never came again, and that her solitary attempt at solitary rebellion was like to prove a dear-bought victory. Even Madame, as if to make up for such eccentricity as taking her part even for a moment, took to scolding her worse than ever. Not that Monsieur Jacquard ever alluded to the affair in plain words, except when he said once, some days after, and *à propos* of some other matter,

"There's only one thing left for you to do. Do you think I saddled my back with you for the love of your fine eyes? Not at all—if you think so, it is time you know. I teach you to be the first player in Europe—you turn upon me and ruin me. I forgive you: it is the first time. I teach you to make the young men come—you drive them away. I forgive you: it is the second time. I teach you to be the first *prestidigitateuse* of your age in the world: your fingers shall make my fortune this time. But, one million pigs! if you go to break your arm, you who are capable of all, or your leg—you shall be fit for nothing more to me: I will be saddled no more. I shall not forgive you: that will be the third time."

(TO BE CONTINUED.)

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